THIS BOOK
MUST NOT BE REMOVED
FROM THE LIBRARY

UNIVERSITY OF LONDON LIBRARY

REFERENCE ONLY

PARL. PAPERS
FOR REFERENCE ONLY.

UNIVERSITY OF LONDON
LIBRARY

620041

HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

28° VICTORIÆ, 1865.

VOL. CLXXVIII.

COMPRISING THE PERIOD FROM

THE TWENTY-FIRST DAY OF MARCH 1865,

TO

THE EIGHTH DAY OF MAY 1865.

Second Volume of the Session.

LONDON:
PUBLISHED BY CORNELIUS BUCK,
AT THE OFFICE FOR HANSARD'S PARLIAMENTARY DEBATES,
23, PATERNOSTER ROW [E.C.]

1865

BIBL. LONDIN. UNIV.

LONDON: CORNELIUS BUCK, PRINTER, 23, PATERNOSTER ROW.

TABLE OF CONTENTS

TO

VOLUME CLXXVIII.

THIRD SERIES.

---

3 *Hansard*, vol. 178

LORDS, TUESDAY, MARCH 21.

Affirmations (Scotland) Bill (No. 40)—

After short debate, Bill read 2ª, and *committed* to a Committee of the whole House 1

Imprisonment on Civil Process, Middlesex—Question, The Marquess Townshend; Answer, Earl Granville 2

Casual Poor—Metropolis—Question, The Marquess Townshend; Answer, Earl Granville 3

COMMONS, TUESDAY, MARCH 21.

Utilization of Sewage and Land Reclamation (Ireland) Bill—

Motion made, and Question proposed,

"That the Utilization of Sewage and Land Reclamation (Ireland) Bill be referred to the Select Committee on the Metropolis Sewage and Essex Reclamation Bill."—(*Sir Colman O'Loghlen*) 6

After short debate, Motion, by leave, *withdrawn.*

Fires in London—Question, Mr. Hankey; Answer, Mr. T. G. Baring .. 7

Waterworks Reservoirs—Question, Mr. Ferrand; Answer, Sir George Grey 7

Execution at Durham of Matthew Atkinson—Question, Mr. Lawson; Answer, Sir George Grey 7

Consular Reports—Question, Mr. Baines; Answer, Mr. Layard .. 8

Office of Works—Motion for a Select Committee—

Motion made, and Question proposed,

"That a Select Committee be appointed, to inquire into the Office of Works, and the Office of Woods, Forests, and Land Revenues"—(*Mr. Augustus Smith*) 8

After debate, Question put, and *negatived.*

Roman Catholic Oath Bill—

Roman Catholic Oath Act—*considered* in Committee.

(In the Committee.)

Moved, "That the Chairman be directed to move the House, That leave be given to bring in a Bill to substitute an oath for the oath required to be taken and subscribed by the statute passed in the tenth year of the reign of King George the Fourth, for the Relief of His Majesty's Roman Catholic Subjects."—(*Mr. Monsell*) 24

After debate, Motion *agreed to.*

Bill *ordered* to be brought in by Mr. Monsell, Lord John Browne, Sir Colman O'Loghlen, and Mr. Hennessy:—Bill *presented,* and read 1º. [Bill 86.]

FIRE INSURANCE—RESOLUTION—
Motion made, and Question proposed,
"That, in the opinion of this House, it is expedient that the reduction of Fire Insurance Duty, made in the last Session, be extended, at the earliest opportunity, to houses, household goods, and all descriptions of insurable property."—(*Mr. Henry B. Sheridan*) 35
After debate, *Previous Question* put, "That that Question be now put:"—(*Mr. Chancellor of the Exchequer*:)—The House *divided;* Ayes 137, Noes 65; Majority 72:—Main Question put, and *agreed to* 37
Division List, Ayes and Noes 44

Chemists and Druggists (No. 2) Bill—
Acts read;—*considered* in Committee.
(In the Committee.)
On the Motion of *Sir John Shelley*—
Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill for regulating the qualifications of Chemists and Druggists in England and Wales 46
Resolution *reported:*—Bill *ordered* to be brought in by Sir John Shelley, Mr. Charles Forster, and Mr. Ayrton:—Bill *presented,* and read 1°. [Bill 84.]

ARMY (LIBRARIES, &c.)—MOTION FOR AN ADDRESS—
Motion made, and Question proposed,
"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of the Catalogue of the Books that are at present placed in the Libraries and Reading Rooms to each Troop, Battery, or Company in the British Establishment, and for which an annual sum is sought by Vote 15 of Army Estimates, page 60."—(*Mr. Whalley*) ... 47
After short debate, Question put, and *negatived.*

Tests Abolition (Oxford) Bill—
Tests Abolition (Oxford)—*considered* in Committee.
(In the Committee.)
Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill to provide for the abolition of certain Tests in connection with Academical Degrees in the University of Oxford 48
Resolution *reported:*—Bill *ordered* to be brought in by Mr. Goschen and Mr. Grant Duff:—Bill *presented,* and read 1°. [Bill 85.]

Procurators Scotland Bill—(*The Lord Advocate*)—*ordered* 49

Lahore Bishopric—Resolution [March 20] *reported,*
"That it is expedient to empower the Secretary of State for India in Council to make provision for the payment, out of the Revenues of India, of the Salaries of the Bishop and Archdeacon, and of other Charges incidental to the establishment of a Bishopric of Lahore,"—and *agreed to.*
Bill *ordered* to be brought in by Sir Charles Wood and Mr. Baring 49

Militia Pay Bill—(*The Marquess of Hartington*)—*ordered* 50

COMMONS, WEDNESDAY, MARCH 22.

Small Benefices (Ireland) Act Amendment Bill [Bill 13]—
After short debate, Bill read 2°, and *committed* for *Wednesday* next .. 50

Railway Travelling (Ireland) Bill [Bill 66]—
Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen*) 51
Amendment proposed, to leave out the word "now," and at the end of Question to add the words "upon this day six months:"—(*Mr. Blake:*)—Question proposed, "That the words proposed to be left out stand part of the Question,"
After debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 39, Noes 42; Majority 3:—Words *added:*—Main Question, as amended, put, and *agreed to.*
Second Reading *put off* for six months.

LORDS, THURSDAY, MARCH 23.

Relations with the United States—Observations, Earl Russell .. 68

Private Bill Costs Bill (No. 31)—

Moved, "That the Bill be now read 2^a,"—(*Lord Houghton*) .. 75

After short debate, Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

COMMONS, THURSDAY, MARCH 23.

Flogging in Gaols—Questions, Mr. Scully, Mr. Hadfield, and Mr. W. E. Forster; Answer, Sir George Grey 77

Church at Nazareth—Question, Mr. Hanbury; Answer, Mr. Layard .. 79

The Thames at Hampton Court—Question, Mr. Dawson-Damer; Answer, Mr. Milner Gibson 79

Duke of Wellington's Monument at St. Paul's—Question, Sir M. Farquhar; Answer, Mr. Cowper 80

Consular Courts in China—Question, Mr. Kinnaird; Answer, Mr. Layard 81

New Zealand Prize Money—Question, Mr. Kekewich; Answer, The Marquess of Hartington 81

Indian Allowances in China—Question, Mr. Waldegrave-Leslie; Answer, The Marquess of Hartington 81

Wycombe Poor Law Union—Question, Mr. Ferrand; Answer, Mr. C. P. Villiers 82

Troops in New Zealand—Question, General Peel; Answer, The Marquess of Hartington 82

The British North American Colonies—Question, Lord Robert Cecil; Answer, Mr. Cardwell 83

Military Commissioners to the United States—Question, Mr. W. Ewart; Answer, The Marquess of Hartington 83

Highways Act—Question, Mr. Richard Long; Answer, Sir George Grey .. 84

Case of Margaret Smith or Swanson—Question, Mr. Waldegrave-Leslie; Answer, Sir George Grey 84

The Saffron Hill Murder—Question, Mr. Roebuck; Answer, Sir G. Grey.. 84

Allowances to Volunteer Serjeant Instructors—Question, Sir Graham Montgomery; Answer, The Marquess of Hartington 86

Court of Probate—Question, Mr. Locke; Answer, Mr. Peel 86

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Army—The Foot Guards—Questions, Sir John Trelawny; Answer, The Marquess of Hartington 86

The Lock Out in the Iron Trade—Observations, Mr. Hennessy; Reply, Sir George Grey 90

Motion, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—Army Estimates—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a sum, not exceeding £811,400, be granted to Her Majesty to defray the Charge of the Superintending Establishment of, and Expenditure for Works, Buildings, and Repairs at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."—(*The Marquess of Hartington*) ... 94

Supply—Army Estimates—*continued*:

Whereupon, Motion made, and Question proposed,
"That the Item of £50,000. for the Improvement of Defences at Quebec, be omitted from the proposed Vote."—(*Mr. Bentinck*) 104
After long debate, Question put:—The Committee *divided;* Ayes 40, Noes 275; Majority 235:—Division List, Ayes and Noes 176
Original Question again proposed:—Committee report Progress.

Courts of Justice Concentration (Site) (*re-committed*) **Bill** [Bill 71]—
Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Attorney General*) 178
Motion made, and Question proposed, "That the Debate be now adjourned:"—(*Mr. Hennessy*:)—After short debate, Motion *agreed to*:—Debate *adjourned* till *Thursday* next.

Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation Bill [Bill 82]—
Motion made, and Question put, "That the Bill be now read a second time:"—The House *divided;* Ayes 123, Noes 72; Majority 51.
After short debate, Bill read 2°, and *committed* for *Monday* next .. 181

Qualification for Offices Abolition Bill [Bill 62]—
Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Hadfield*) 181
Debate arising on a point of Order:—Motion made, and Question put, "That this House do now adjourn."—(*Colonel Dunne*):—The House *divided;* Ayes 72, Noes 141; Majority 69
Question again proposed, "That the Bill be now read the third time."
After further debate, Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Newdegate*) 186
Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 130, Noes 56; Majority 74:—Main Question put, and *agreed to*:—After long debate, Bill read 3°, and *passed*.

Inclosure Bill—(*Mr. Baring*)—*ordered;* read 1° [Bill 89] 187
Public Offices (Site and Approaches) Bill.—Select Committee *nominated*:—List of the Committee 187
India Office (Site and Approaches) Bill.—Select Committee *nominated*:—List of the Committee 187

Azeem Jah (Signatures to Petitions)—On Motion of *Mr. Charles Forster*, Select Committee *appointed*:—List of the Committee .. 187

LORDS, FRIDAY, MARCH 24.

Detention of Mr. Dockrall—
Moved, That there be laid before the House,
"Copies of all Correspondence and Information in Possession of the Secretary of State for the Home Department with respect to the Detention of the late Mr. Dockrall in the Lunatic Asylum at Sedgefield."—(*The Earl of Malmesbury*) ... 188
After short debate, Motion *agreed to*.

COMMONS, FRIDAY, MARCH 24.

Lanarkshire County Prison Board Bill (*by Order*)—
Moved, "That the Bill be now read a second time," 194
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Sir Edward Colebrooke*:)—Question proposed, "That the word 'now' stand part of the Question."
After short debate, Question put:—The House *divided;* Ayes 39, Noes 95; Majority 56: Words *added*:—Main Question, as amended, put, and *agreed to*.
Bill *put off* for six months.

COUNTY DOWN ASSIZES — CHIEF JUSTICE MONAHAN — Question, Sir Thomas Bateson; Answer, Sir Robert Peel 196

Debate arising thereon:—Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel Forde.*)

After short debate, Motion *withdrawn.*

ARMY—THE WAR OFFICE—Question, Sir Stafford Northcote; Answer, The Marquess of Hartington 202

EASTER RECESS—Question, Mr. Arthur Mills; Answer, Viscount Palmerston .. 202

SUPPLY—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE IONIAN ISLANDS—PENSIONS TO OFFICERS—Question, Mr. Baillie Cochrane; Answer, Mr. Layard:—Debate thereon 202

DIGEST OF PARLIAMENTARY PAPERS—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is expedient that a digest or abridgment of Parliamentary Papers and Blue Books be provided from time to time, and consolidated into one or more volumes at the close of each Session, under the authority of the Statistical Department of the Board of Trade, for the convenience of Members and for the diffusion of information among the public at large,"—(*Mr. William Ewart,*)—instead thereof 215

Question proposed, "That the words proposed to be left out stand part of the Question."

After debate, Amendment *withdrawn.*

THAMES AND ISIS NAVIGATION—Observations, Mr. Malins; Reply, Mr. Milner Gibson:—Debate thereon 223

CANADIAN RAILWAYS—Question, Mr. Aytoun; Answer, Mr. Cardwell .. 234

LABOUR ORDINANCE FOR INDIA — Question, Mr. Henry Seymour; Answer, Sir Charles Wood 236

ARMY—DEPOT BATTALIONS—Explanation, The Marquess of Hartington .. 241

CANADA—DEFENCES OF QUEBEC—Observations, Lord Elcho 242

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—ARMY ESTIMATES—*considered* in Committee.

(In the Committee.)

(1.) Original Question again proposed,

"That a sum, not exceeding £811,400, be granted to Her Majesty to defray the Charge of the Superintending Establishment of, and Expenditure for, Works, Buildings, and Repairs at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive" 243

After debate, Vote *agreed to.*

(2.) £163,500, Military Education:—After short debate, *agreed to* 256

(3.) £88,345, Surveys, &c., *agreed to.*

(4.) £107,700, Miscellaneous Services:—After short debate, Vote *agreed to* ... 262

(5.) £26,100, Rewards for Military Service, *agreed to.*

(6.) £74,200, Pay of General Officers, *agreed to.*

(7.) Motion made, and Question proposed,

"That a sum, not exceeding £455,000, be granted to Her Majesty, to defray the Charge of the Pay of Reduced and Retired Officers, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive" 263

Whereupon Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again:"—(*Mr. Torrens:*)—Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(8.) £162,100, Widows' Pensions and Compassionate Allowances, *agreed to.*

(9.) £28,200, Pensions and Allowances to Wounded Officers.

Motion made, and Question proposed,

"That a sum, not exceeding £33,200, be granted to Her Majesty, to defray the Charge of Chelsea and Kilmainham Hospitals, and the In-Pension thereof, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive" ... 264

Whereupon Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Colonel Dickson,*)—put, and *agreed to.*

Resolutions to be reported on *Monday* next:—Committee report Progress.

County Voters Registration (Ireland) Bill [Bill 70]—
Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Sir Robert Peel*) 265
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Bagwell:*) —Question proposed, "That the word 'now' stand part of the Question:" —After short debate, Question put:—The House *divided;* Ayes 30, Noes 32; Majority 2:—Words *added.*
Main Question, as amended, put, and *agreed to*:—Bill *put off* for six months.

Union Officers (Ireland) Superannuation Bill [Bill 53]—
Bill *considered* in Committee:—Bill *reported;* as amended to be *considered* on *Tuesday* next 266

Merchant Shipping Disputes Bill—(*Mr. Denman*)—*ordered;* read 1° [Bill 90] ... 268

LORDS, MONDAY, MARCH 27.

IRELAND (CATHARINE GAUGHRAN) — Motion for Address for Papers — (*The Marquess of Westmeath*) 268
After debate, Motion *agreed to.*

Colonial Naval Defence Bill (No. 39)—
After short debate, Bill read 2ª, and *committed* to a Committee of the Whole House 272

Private Bill Costs Bill (No. 31)—
Bill *considered* in Committee 273

Bankruptcy and Insolvency (Ireland) Act Amendment Bill (No. 43)—
Amendments reported (according to Order) 273
Moved, after ("thereunder") p. 1, line 19, to add—
"It being however hereby declared that no Person, Company, or Body Corporate, by reason of his or their being a Shareholder of any Railway Company made bankrupt under any such Adjudication of Bankruptcy, is or shall be liable to pay or contribute any Sum beyond the Extent of his or their Shares in the Capital of the Company not paid up at the Time of such Adjudication,"—(*The Earl of Longford.*)
On Question? Their Lordships *divided;* Contents 18, Not-Contents 21; Majority 3:—List of the Contents and Not-Contents 274

COMMONS, MONDAY, MARCH 27.

THE EPISCOPAL CHURCH IN THE COLONIES—Question, Mr. Dunlop; Answers, Mr. Cardwell; The Attorney General 275

Union Chargeability Bill [Bill 31]—
Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Mr. C. P. Villiers*) 277
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "considering the little knowledge this House possesses as to the practical working of the Irremovable Poor Act of 1861, it is inexpedient, without further information, to legislate on the subject of Union Rating during the present Session,"—(*Sir Rainald Knightley,*) —instead thereof 294
Question proposed, "That the words proposed to be left out stand part of the Question."
Question, "That the debate be now adjourned,"—(*Mr. Knight,*)—put, and *negatived.*
Original Question and Amendment again proposed:—Question put, "That the words proposed to be left out stand part of the Question," A. 203, N. 131; M. 72.
Original Question put, and *agreed to:* — Bill read 2° and *committed* for Monday, April 24:—Division List, Ayes and Noes 356

SUPPLY—Resolutions [March 24] *reported;* and, after debate, *agreed to* .. 359

Mutiny Bill—
Bill *considered* in Committee:—Bill *reported;* as amended to be *considered To-morrow* 363

Grand Juries (Ireland) Bill—(*Mr. Blake*)—*ordered;* read 1° [Bill 93] .. 369

General Post Office (Additional Site) Bill—(*Mr. Peel*)—*ordered;* read 1° [Bill 94] .. 369

LORDS, TUESDAY, MARCH 28.

The House met; and having gone through the business on the paper, House adjourned without debate.

COMMONS, TUESDAY, MARCH 28.

SCOTLAND—POSTAL SYSTEM OF FIFE—Question, Sir Robert Anstruther; Answer, Mr. Peel 370

PROPERTY OF THE LATE ALEXANDER CASEY — Question, Colonel Vandeleur; Answer, Sir Robert Peel 370

ARMY—ORDNANCE SELECT COMMITTEE—Question, Mr. Hanbury Tracy; Answer, The Marquess of Hartington 371

INDIA—LUCKNOW PRIZE MONEY—Question, Mr. Scholefield; Answer Sir Charles Wood 371

RECRUITING IN THE ARMY—Question, Colonel North; Answer, The Marquess of Hartington 372

THE IONIAN ISLANDS DEBATE—PENSIONS TO OFFICERS—Personal Explanations, Mr. Baillie Cochrane 372

OFFICE OF POSTMASTER GENERAL—MOTION FOR A SELECT COMMITTEE—
Motion made, and Question proposed,
"That a Select Committee be appointed, to inquire whether the practice of appointing a Peer of the Realm exclusively to the office of Post Master General is one which is directed or required by any legal enactment or constitutional principle, and whether the continuance of such practice is of advantage to the Public Service,"—(*Mr. Darby Griffith*) 378
After debate, Motion *withdrawn.*

CHURCH ESTABLISHMENT (IRELAND)—RESOLUTION—
Motion made, and Question proposed,
"That, in the opinion of this House, the present position of the Irish Church Establishment is unsatisfactory, and calls for the early attention of Her Majesty's Government,"—(*Mr. Dillwyn*) 384
After long debate, Motion, "That the Debate be now adjourned,"—(*Mr. Goschen,*)—A. 221, N. 106; M. 115:—Debate *adjourned* till *Tuesday* 2nd May.

Mortgage Debentures (*re-committed*) **Bill** [Bill 72]—
Bill *considered* in Committee:—Committee report Progress 455

East India (Governor General's Powers, &c.) Bill [Bill 76]—
Bill *considered* in Committee and *reported,* without Amendment .. 456

COMMONS, WEDNESDAY, MARCH 29.

Sheep, &c., Protection (Ireland) Bill [Bill 43]—
Motion made, and Question proposed, That the Bill be now read a second time,"—(*Sir Frederick Heygate*) 457
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Scully:*)—Question proposed, "That the word 'now' stand part of the Question.
After debate, Question put, and *agreed to:* — Main Question put, and *agreed to:*—Bill read 2°

Sheep and Cattle Bill [Bill 57]—After short debate, read 2° .. 469

Chemists and Druggists Bill—[*Sir FitzRoy Kelly*] [Bill 78]—
Moved, "That the Bill be now read 2°,"—(*Sir FitzRoy Kelly*) .. 470
After debate, Bill read 2°, and *committed* to a Select Committee.

Chemists and Druggists (No. 2) Bill—[*Sir John Shelley*] [Bill 84]—
Bill read 2°; and referred to the same Select Committee:—List of the Committee ... 479

LORDS, THURSDAY, MARCH 30.

Metalliferous Mines Bill, 1865—
Bill relating to Metalliferous Mines, *presented* (*Lord Kinnaird*); and, after short debate, Bill read 1^{a} (No. 49) 479

Private Bill Costs Bill (No. 47)—
Amendments reported.
New Clause *moved* (*Lord Redesdale*); and, after short debate, *withdrawn*:—Amendment made; Bill to be read 3^{a} on *Monday* next (No. 51) .. 483

Colonial Naval Defence Bill (No. 39)—
Bill read 3^{a}, with the Amendment, and *passed*, and sent to the Commons .. 484

THE SAFFRON HILL MURDER—CASE OF PELIZZIONI—Question, Lord Houghton; Answer, Earl Granville 484

COMMONS, THURSDAY, MARCH 30.

MIDDLESEX INDUSTRIAL SCHOOLS BILL—
On Motion of *Sir George Grey* Standing Order 193 suspended, and Bill committed to a Select Committee 486

CASE OF THE LATE MR. DRAKE — Question, Sir John Shelley; Answer, Sir George Grey 487

NAVY CHAPLAINS' QUARTERLY REPORT — Question, Mr. Hanbury Tracy; Answer, Mr. Childers 488

PUBLIC HOUSE CLOSING ACT (1864) AMENDMENT BILL — Question, Mr. Cox; Answer, Sir George Grey 488

COURTS OF CONCILIATION — Question, Mr. Darby Griffith; Answer, Mr. Mackinnon 489

Courts of Justice Concentration (Site) (*re-committed*) **Bill** [Bill 71]—
Order read, for resuming Adjourned Debate on Question [23rd March], "That Mr. Speaker do now leave the Chair:"—Debate *resumed* 489
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be re-committed to the former Committee, and that they be instructed to inquire into the capabilities of the Thames Embankment as a site for the proposed buildings:"—(*Mr. Lygon*:)—instead thereof.
Motion made, and Question proposed, "That the words proposed to be left out stand part of the Question."
After further debate, Question put, and *agreed to*:—Main Question, put, and *agreed to*.
Bill *considered* in Committee, and *reported*, without Amendment.

Court of Chancery (Ireland) Bill—[*Mr. Attorney General*] [Bill 6]—
Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair,"—(*Mr. Attorney General*) .. 500
Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee:"—(*Mr. Whiteside*:)—instead thereof.
Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—A. 68, N. 30; M. 38:—Main Question put, and *agreed to*:—Bill *considered* in Committee:—Committee report Progress.

Metropolitan Houseless Poor Bill [Bill 83]—

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Mr. C. P. Villiers*) 533

After debate, Motion *agreed to:* —Bill read 2°.

Inclosure Bill [Bill 89]—

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Mr. T. G. Baring*) 540

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day week:"— (*Mr. Cox:*)— Question proposed, "That the word 'now' stand part of the Question."

After short debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to:*—Bill read 2°.

IRELAND — ROYAL HIBERNIAN MILITARY SCHOOL — Motion for Returns (*Mr. Maguire*) 541

Motion made, and Question put, "That the debate be now adjourned: —(*Mr. Whalley:*)—A. 10, N. 29; M. 19:—Original Question again proposed—

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present, House *adjourned.*

LORDS, FRIDAY, MARCH 31.

DESTRUCTION OF METROPOLITAN DWELLINGS BY RAILWAYS, &c.—

Amendment of Standing Order No. 191 *moved* (*The Earl of Shaftesbury*) .. 543

After debate, Motion *withdrawn.*

CARTOONS AT HAMPTON COURT PALACE — PETITION — Observation, Lord St. Leonards 556

COMMONS, FRIDAY, MARCH 31.

AGRICULTURAL STATISTICS—Question, Mr. Caird; Answer, Mr. Milner Gibson .. 560

POST OFFICE OFFICIALS—Question, Mr. Scully; Answer, Mr. Peel .. 560

UNION CHARGEABILITY BILL — Question, Mr. Wilbraham Egerton; Answer, Mr. C. P. Villiers 561

INFANT MORTALITY AT EMNETH IN NORFOLK — Question, Mr. Brady; Answer, Sir George Grey 562

EXPEDITION TO THE NORTH POLE—Question, Mr. W. O. Stanley; Answer, Lord Clarence Paget 563

MR. H. J. STONOR'S APPOINTMENT—Question, Lord Robert Montagu; Answer, The Attorney General 563

RANK OF MASTER IN THE NAVY—Question, Sir John Pakington; Answer, Lord Clarence Paget 567

PAROCHIAL MEDICAL RELIEF—Question, Sir John Shelley; Answer, Mr. C. P. Villiers 568

RUMOURED RESIDENCE OF THE POPE IN ENGLAND — Question, Mr. Newdegate; Answer, Viscount Palmerston 568

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

LAW OF LANDLORD AND TENANT IN IRELAND—MOTION FOR A SELECT COMMITTEE—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the Laws regulating the relations between Landlord and Tenant in Ireland, with a view to their more equitable adjustment,"—(*Mr. Maguire,*)—instead thereof 570

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment *withdrawn.*

SUPPLY—*continued.*

Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the operation of the Acts of 1860 upon the relations of Landlord and Tenant in Ireland,"—(*Viscount Palmerston,*)—instead thereof 618

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the operation of the Act 23 and 24 Vic. c. 153, on the Tenure and Improvement of Land in Ireland,"—(*Viscount Palmerston,*)—instead thereof

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived:*—Words *added:*—Main Question, as amended, put, and *agreed to.*

Ordered, That a Select Committee be appointed to inquire into the operation of the Act 23 and 24 Vic. c. 153, on the Tenure and Improvement of Land in Ireland.

And on *Thursday,* April 27, Committee *nominated:*—List of Committee .. 627

Inclosure Bill [Bill 89]—

Bill *considered* in Committee, and *reported* 627

Educational and Charitable Institutions Bill [Bill 97]—

After short debate, Bill to provide for the Episcopal Superintendence of certain Educational and Charitable Institutions, *ordered* to be brought in by Mr. Lygon and Mr. Walter:—Bill *presented,* and read 1°. [Bill 97] .. 628

THAMES RIVER—Select Committee on the Thames River *appointed;* and, on *Thursday,* April 6, Committee *nominated:*—List of the Committee .. 629

LORDS, MONDAY, APRIL 3.

Juries (Ireland) Bill—

Bill to amend the Law relating to Juries in Criminal Cases in Ireland, and for other purposes, *presented* (*The Marquess of Westmeath*), and read 1ª; and to be *printed.* (No. 55) 629

Public Schools Bill (No. 32)—

Petitions from University of Oxford and Mercers Company, *presented* (*The Earl of Derby*) 630

Moved, That the Bill be now read 2ª,—(*The Earl of Clarendon*) .. 632

After long debate, Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House.

COMMONS, MONDAY, APRIL 3.

OUT-DOOR CUSTOMS OFFICERS—Question, Mr. Lyall; Answer, Mr. Peel .. 669

COLLECTION OF TAXES—Question, Mr. Bazley; Answer, The Chancellor of the Exchequer 669

DEEP SEA FISHERY (IRELAND)—Question, Sir Edward Grogan; Answer, Sir Robert Peel 669

INCOME TAX PAPERS—Question, Mr. Locke; Answer, The Chancellor of the Exchequer 670

ARMY—CULTIVATION OF GARDENS BY SOLDIERS—Question, Mr. W. Ewart; Answer, The Marquess of Hartington 670

UNION CHARGEABILITY BILL—Question, Colonel Wilson Patten; Answer, Mr. C. P. Villiers 670

DRILL INSTRUCTORS OF VOLUNTEERS—Question, Mr. J. R. Yorke; Answer, The Marquess of Hartington 671

VOLUNTEER OFFICERS—SERVICE ON JURIES—Question, Mr. Algernon Egerton; Answer, The Marquess of Hartington 671

OYSTER FISHERY—Question, Mr. Cave; Answer, Mr. Milner Gibson .. 672

ARMY — ORDNANCE EXPERIMENTS — Question, Mr. Peacocke; Answer, The Marquess of Hartington 672

RAILWAY SYSTEM (IRELAND)—Question, Mr. Whiteside; Answer, Mr. Monsell 673

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

THE LATE MR. COBDEN—Observations, Viscount Palmerston, Mr. Disraeli, Mr. Bright 673

THE BOARD OF ADMIRALTY—Observations, Sir Morton Peto; Reply, Lord Clarence Paget:—long debate thereon 678

CIVIL SERVICE ESTIMATES—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Civil Service Estimates be referred to a Select Committee for examination, and to report thereon, in respect of each Class separately, such matters as may appear to them specially to deserve the attention of the House,"—(*Mr. Augustus Smith,*) instead thereof 717

Question proposed, "That the word proposed to be left out stand part of the Question:"—Amendment *withdrawn*

SIR RICHARD MAYNE AND THE BARNET MAGISTRATES — Observations, Mr. Adderley; Reply, Sir George Grey 719

Main Question, put, and *agreed to.*

SUPPLY—NAVY ESTIMATES—*considered* in Committee

(In the Committee.)

(1.) £175,957, Admiralty Office; After short debate, Vote *agreed to* 726

(2.) £284,395, Coast Guard Service, &c.; After short debate, Vote *agreed to* ... 727

(3.) £70,042, Scientific Departments; After short debate, Vote *agreed to* ... 730

(4.) Motion made, and Question proposed,
"That a sum, not exceeding £192,415, be granted to Her Majesty, to defray the Salaries of the Officers and the Contingent Expenses of Her Majesty's Naval Establishments at Home, which will come in course of payment during the year ending on the 31st day of March 1866" 732

Whereupon Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again:"—(*Sir James Elphinstone*): — The Committee *divided:* A. 27, N. 51; M. 24.

After short Debate, Original Question put, and *agreed to.*

(5.) £37,332, Naval Establishments Abroad; Vote *agreed to.*

(6.) £1,158,797 Wages to Artificers at home:—Motion *withdrawn.*

Resolutions to be reported *To-morrow.*

SUPPLY—CIVIL SERVICE ESTIMATES—

Motion made, and Question proposed, "That a sum, not exceeding £1,748,000, be granted to Her Majesty, on account of certain Civil Service Estimates for 1865-6."—(*Mr. Peel*) 733

Whereupon, after debate, Motion made, and Question proposed, "That the Item of £3,000, on account of Commissioners for Suppression of the Slave Trade, be reduced by the sum of £2,000."—(*Mr. Torrens*) 739

Motion made, and Question proposed, "That the Chairman do report Progress."—(*Mr. Ayrton.*)

Motion, by leave, *withdrawn.*

After short debate, To report Progress, and ask leave to sit again.

Resolutions to be reported *To-morrow*:—Committee also report Progress; to sit again on *Wednesday.*

Roads and Bridges (Scotland) Bill—(*Lord Elcho*)—read 1° [Bill 101] ... 743

Commissioners of Supply Meetings (Scotland) Bill — (*Mr. Finlay*)—read 1° [Bill 102] 743

LORDS, TUESDAY, APRIL 4.

THE EPIDEMIC IN RUSSIA — Question, The Bishop of Oxford; Answer, Earl Granville 744

Public Schools Bill—

Petitions *presented* by The Marquess of Salisbury; *Ordered* to lie on the table 744

3 *Hansard*, vol. 178

COMMONS, TUESDAY, APRIL 4.

The House met; and Forty Members not being present at Four o'clock, Mr. Speaker adjourned the House till *To-morrow*.

COMMONS, WEDNESDAY, APRIL 5.

Land Debentures Ireland (*re-committed*) **Bill** [Bill 80]—
Bill *considered* in Committee 750
Committee report Progress.

Tories, Robbers, and Rapparees (Ireland) Bill [Bill 95]—
Motion made, and Question proposed, "That the Bill be now read a second time,"—(*The O'Donoghue*) 755
After short debate, Motion *agreed to*:—Bill read 2°.

Metropolitan Houseless Poor Bill [Bill 83]—
Bill *considered* in Committee, and *reported* 756

LORDS, THURSDAY, APRIL 6.

PRIVATE BILLS—Orders made thereon 767

Private Bill Costs Bill (No. 51)—
Bill read 3ª (according to Order), with the Amendments 767
Further Amendments made:—Bill *passed*, and sent to the Commons.

Record of Title (Ireland) Bill [H.L.]—(*The Lord Chancellor*)—*presented*; read 1ª (No. 63)

COMMONS, THURSDAY, APRIL 6.

Wimbledon Common Bill (*by Order*)—
Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Viscount Bury*) 769
After debate, Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Cox*) ... 776
Question, "That the word 'now' stand part of the Question," put, and *agreed to*:—Main Question put, and *agreed to*:—Bill read 2°, and *committed.*

INDIA—THE BHOOTAN EXPEDITION—Question, Lord Dunkellin; Answer, Sir Charles Wood 781

ENGLISH SUBJECTS IN CHINA—Question, Colonel Sykes; Answer, The Attorney General 782

SCOTLAND — PORT PATRICK HARBOUR — Question, Mr. Torrens; Answer, Mr. Milner Gibson 783

COLONIAL BISHOPS—Question, Mr. Henry Seymour; Answer, Mr. Cardwell .. 783

INDIA — THE PEGU PRIZE MONEY — Question, Mr. H. Cole; Answer, Sir Charles Wood.. 783

THE EPIDEMIC IN RUSSIA — Question, Sir John Pakington; Answer, Sir George Grey 784

RENEWAL OF HOSTILITIES IN NEW ZEALAND—Question, Colonel North; Answer, Mr. Cardwell 785

Bankruptcy and Insolvency (Ireland) Act Amendment Bill [Bill 102]—
Lords Amendments *considered* 785
After short debate, Committee *appointed*, "to draw up Reasons to be assigned to the Lords for disagreeing to the Amendment to which this House hath disagreed."

Supply — Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

The State Papers—Observations, Mr. Henry Seymour; Reply, Mr. Layard .. 789

Officers Serving in India — Question, Sir Harry Verney; Answer, Sir Charles Wood 792

Defences of Canada—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, Copy of Papers and Extracts of Correspondence relative to the proposed Canadian Defences and the share of the total cost which is to be respectively borne by Canada and the United Kingdom," —(*Lord Elcho*,)—instead thereof 793

After long debate, Question put, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

SUPPLY—Civil Service Estimates—*considered* in Committee.

(1.) Original Question [April 3] again proposed,

"That a sum, not exceeding £1,748,000, be granted to Her Majesty, on account, for or towards defraying the Charge of certain Civil Services to the 31st day of March 1866 849

After debate, Question put, and *agreed to.*

Army Estimates—*considered* in Committee.

Motion, "That the Chairman do report Progress, and ask leave to sit again,"—(*General Peel*) 851

After short debate, Motion *withdrawn.*

(2.) Original Question again proposed,

"That a sum, not exceeding £33,200, be granted to Her Majesty, to defray the Charge of Chelsea and Kilmainham Hospitals, and the In-Pension thereof, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive" ... 853

After short debate, Question put, and *agreed to.*

(3.) £1,168,000, Out Pensioners, Chelsea Hospital, &c., *agreed to.*

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £131,000, be granted to Her Majesty, to defray the Charges of the Superannuation Allowances, &c., which will come in course of payment during the year ending on the 31st day of March 1866, inclusive" 858

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Colonel Dunne*,)—put, and *negatived.*

Original Question put, and *agreed to.*

(5.) £29,000, Non-Effective Services, Disembodied Militia, and Yeomanry Cavalry ... 858

After short debate, Vote *agreed to.*

Resolutions to be reported *To-morrow.*

Metropolitan Houseless Poor Bill [Bill 83]—

Bill, as amended, *considered:*—Amendments made 859

India Office (Site and Approaches) (*re-committed*) **Bill** [Bill 100]—

Bill *considered* in Committee; and, after short debate, *reported* .. 861

Public House Closing Act (1864) Amendment Bill [Bill 22]—

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Mr. Cox*) 863

Amendment proposed, to leave out the word "now" and at the end of the Question to add the words "upon this day six months,"—(*Mr. Lawson.*)

Question proposed, "That the word 'now' stand part of the Question."

After short debate, Amendment *withdrawn:*—Main Question put, and *agreed to:*—Bill read 2°.

LORDS, FRIDAY, APRIL 7.

The Curragh of Kildare—Question, The Marquess of Clanricarde; Answer, Earl De Grey and Ripon 869

East India (Governor General's Powers, &c.) Bill (No. 57)—

Bill *considered* in Committee; and, after short debate, *reported* without Amendment 870

Private Bills—Standing Order No. 191—Displacement of London Poor—
After short debate, on Motion of *The Lord Chancellor*, Standing Order No. 191 amended 873

The Revised Code—Examination of Children—Observations, The Earl of Harrowby; Reply, Earl Granville 878

Epidemic at St. Petersburg—Question, The Bishop of Oxford; Answer, Earl Granville 879

COMMONS, FRIDAY, APRIL 7.

Metropolis Sewage and Essex Reclamation Bill (*by Order*)—
As amended, *considered*:—After short debate, further Consideration of the Bill *deferred* 881

Bristol and North Somerset Railway (*Southern Extension*) *Bill* (*by Order*)—
Motion, "That the Bill be now read a second time,"—(*Mr. Gore Langton*) ... 887
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Greaves*:)—After short debate, Question, "That the word 'now' stand part of the Question," put, and *negatived*:—Words *added*: —Main Question, as amended, put, and *agreed to*:—Bill *put off* for six months.

Titles to Land (Ireland)—Question, Mr. Monsell; Answer, Sir G. Grey .. 888

Piracy in China—Question, Colonel Sykes; Answer, Mr. Layard .. 888

Salmon Fishery Acts—Question, Mr. Knight; Answer, Mr. T. G. Baring .. 888

Epidemic in Russia—Question, Mr. Onslow; Answer, Sir George Grey .. 889

Metropolis—Park Lane—Question, Mr. Scully; Answer, Mr. Cowper .. 889

Ireland—The Fenian Brotherhood—Question, Mr. Whiteside; Answer, Mr. Layard 890

The Indian Budget — Question, Mr. H. Seymour; Answer, Sir C. Wood 891

The Defences of Canada—Question, Lord Elcho; Answer, Mr. Cardwell .. 892

The War in New Zealand—Question, Mr. Western; Answer, Mr. Cardwell 893

Court of Chancery (Ireland) Bill — Question, Mr. Vance; Answer, The Attorney General 894

Exemption from Posthorse Duty—Question, Mr. Cave; Answer, Mr. Peel .. 895

The Postmaster General—Question, Mr. Darby Griffith; Answer, Viscount Palmerston 895

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Railway System (Ireland)—Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that the Commissioners appointed to inquire into the Railway System of the United Kingdom may be instructed to direct their inquiries, in the first instance, to the Irish Railway System, with a view of ascertaining, with as little delay as possible, such facts as may enable this House to determine whether the provisions of the second clause of the General Railway Act of 1844, should be applied to such Irish Railways as are subject to its provisions,"—(*Mr. Monsell*,)—instead thereof 896
Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment *withdrawn*.

The Schleswig-Holstein Duchies—Question, Sir Harry Verney; Answer, Mr. Layard 925

The Diocese of Exeter—Question, Mr. Wyld; Answer, Sir George Grey .. 931

Expedition to Bhootan—Observations, Mr. Henry Seymour; Answer, Sir Charles Wood 936

Holyhead Harbour—Question, Colonel Dunne; Answer, Mr. Milner Gibson 944

Main Question, put, and *agreed to*.

SUPPLY—NAVY ESTIMATES—*considered* in Committee.
(In the Committee.)
(1.) Motion made, and Question proposed,
"That a sum, not exceeding £1,158,797, be granted to Her Majesty, to defray the Charge of Wages to Artificers, Labourers, and others employed in Her Majesty's Naval Establishments at Home, which will come in course of payment during the year ending on the 31st day of March 1866" 954
Whereupon Question proposed, "That a sum, not exceeding £1,148,020, &c."—(*Mr. Seely.*)
After debate, Question put, and *negatived*:—Original Question put, and *agreed to.*
(2.) £72,585, Wages to Artificers Abroad 954
Motion, "That the Chairman do report Progress, and ask leave to sit again:"—(*Sir James Elphinstone*:)—A. 17, N. 42; M. 25:—Votes 10 and 11 *postponed.*
(3.) £64,800, Medicines and Medical Stores.
(4.) £103,925, Naval Miscellaneous Services 954
After short debate, Vote *agreed to.*
Resolutions to be reported on *Monday* 24th April.

TENURE AND IMPROVEMENT OF LAND (IRELAND) ACT—
Motion made, and Question proposed, "That the Select Committee on the Tenure and Improvement of Land (Ireland) Act do consist of Seventeen Members:"—Debate *adjourned* till *Thursday*, 27th April 955

Waterworks Bill—(*Mr. Milner Gibson*)—*Ordered* 956

Master and Servant Bill—Select Committee *appointed* "to inquire into the state of the Law as regards Contracts of Service between Master and Servant, and as to the expediency of amending the same:" — (*Mr. Cobbett*:) — And, on *Friday*, May 19, Committee *nominated.* 956

Local Government Supplemental (No. 2) Bill—(*Mr. Baring*)—*Ordered*; read 1° [Bill 108] 956

Police Superannuation Bill—(*Mr. Baring*)—*Ordered*; read 1° [Bill 109] ... 956

Land Drainage Supplemental Bill—(*Mr. Baring*)—*Ordered*; read 1° [Bill 110] ... 956

Lancaster Court of Chancery Bill—(*Mr. Attorney General*)—*Ordered*; read 1° [Bill 106] 956

Oxford University (Vinerian Foundation) Bill—(*Mr. Attorney General*)—*Ordered*; read 1° [Bill 107] 957

COMMONS, MONDAY, APRIL 24.

BRITISH PRISONERS IN ABYSSINIA—Question, Mr. Warner; Answer, Mr. Layard 957

THE BANKRUPTCY ACT, 1861—Question, Mr. Murray; Answer, The Attorney GENERAL 958

MORTALITY AMONG CHILDREN IN NORFOLK—Question, Mr. Bentinck; Answer, Sir George Grey 958

PENSIONS TO COLONIAL EX-GOVERNORS—Question, Mr. Baillie Cochrane; Answer, Mr. Cardwell 959

INDIA—PEGU PRIZE MONEY—Explanation, Sir Charles Wood 959

SUPPLY—ARMY ESTIMATES—*considered* in Committee.
(1.) £212,800, Administration of the Army; long debate thereon 959
Vote *agreed to.*

NAVY ESTIMATES—*considered* in Committee.
(2.) £1,134,572, Naval Stores 995
After short debate, Vote *agreed to.*
(3.) £564,700, Steam Machinery.
(4.) £698,195, Half Pay, &c. 996
After short debate, Vote *agreed to.*
(5.) £507,211, Military Pensions and Allowances.
(6.) 208,033, Civil Pensions and Allowances.
(7.) £320,580, Freight of Ships.
Resolutions to be reported *To-morrow.*

3 *Hansard*, vol. 178

COMMONS, TUESDAY, APRIL 25.

Metropolis Sewage and Essex Reclamation Bill (by Order)—
Bill further considered:—Clause *added*:—Bill read 3° 1000

EXHIBITION OF REFORMATORY CHILDREN — Question, Mr. Taverner Miller; Answer, Sir George Grey 1001

OBSOLETE ACTS OF PARLIAMENT—Question, Mr. Hadfield; Answer, The Attorney General 1002

Greenwich Hospital Bill—

Moved, That leave be given to bring in a Bill to provide for the better government of Greenwich Hospital and the more beneficial application of the Revenues thereof—(*Mr. Childers*) 1002

After long debate, Motion *agreed to*:—Bill *ordered* to be brought in by Mr. Childers, Lord Clarence Paget, and Mr. Adam:—Bill *presented*, and read 1° [Bill 113.]

Union Benefices Act Amendment Bill—

Moved, That leave be given to bring in a Bill to amend an Act passed in the twenty-third and twenty-fourth years of the reign of Her present Majesty, intituled "An Act to make better provision for the Union of contiguous benefices in Cities, Towns, and Boroughs," — (*Mr. E. P. Bouverie*) 1013

After debate, Bill *ordered* to be brought in by Mr. Edward Pleydell Bouverie and Mr. Goschen.

Salmon Fishery Act (1861) **Amendment Bill**—

Moved, That leave be given to bring in a Bill to amend the Salmon Fishery Act (1861)—(*Mr. T. G. Baring*) 1024

After short debate, Motion *agreed to*:—Bill *ordered* to be brought in by Mr. Baring and Sir George Grey.

Charitable Trusts Fees Bill [Bill 65]—

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Mr. Thomson Hankey*) 1027

Amendment proposed to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Sir Morton Peto*:)—Motion made, and Question proposed, "That the word 'now' stand part of the Question."

After short debate, Question, "That the word 'now' stand part of the Question," put, and *negatived*:—Words *added*:—Main Question, as amended, put, and *agreed to*:—Bill *put off* for six months.

Local Government Supplemental Bill [Bill 58]—

After short debate, Bill *considered* in Committee; *reported*, with amended Title 1034

SUPPLY—Resolutions [April 24] *reported*; and, after debate, *agreed to* .. 1035

Railway Clauses Bill—(*Mr. Milner Gibson*)—*ordered*; read 1° [Bill 114] ... 1040

COMMONS, WEDNESDAY, APRIL 26.

Inns of Court Bill [Bill 44]—

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Sir George Bowyer*) 1040

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Locke*:)—Question proposed, "That the word 'now' stand part of the Question."

After debate, Amendment, by leave, *withdrawn*:—Main Question put, and *agreed to*:—Bill read 2°.

Metropolitan Toll Bridges Bill [Bill 47]—

Motion, "That the Bill be now read a second time,"—(*Mr. Alderman Salomons*) 1053

METROPOLITAN TOLL BRIDGES BILL—*continued.*

After debate, Motion *agreed to:*—Bill read 2°, and *committed* to a Select Committee.

Ordered, That it be an Instruction to the Committee, to inquire into the existing Tolls on Roads and Bridges within the Metropolis, and the best means of abolishing them.—(*Mr. Ayrton.*)

And, on *Wednesday,* May 10, Select Committee *nominated* 1060

Locomotives on Roads Bill [Bill 63]—

Bill *considered* in Committee:—and, after long debate, *reported* [Bill 116] .. 1060

Police Superannuation Bill [Bill 109]—

Bill *considered* in Committee;—and, after debate, *reported* 1071

Local Government Supplemental (No. 3) Bill—(*Mr. Baring*)—read 1° [Bill 118] ... 1073

Salmon Fishery Act (1861) Amendment Bill—

Bill "to amend the Salmon Fishery Act, 1861," *presented,* and read 1° [Bill 117.]

LORDS, THURSDAY, APRIL 27.

UNITED STATES OF AMERICA — ASSASSINATION OF PRESIDENT LINCOLN — Notice (*Earl Russell*) 1073

District Church Tithes Bill (No. 45)—

Bill read 2ª after short debate 1074

IMPRISONMENT OF BRITISH SUBJECTS IN ABYSSINIA—Question, Lord Chelmsford; Answer, Earl Russell 1075

COMMONS, THURSDAY, APRIL 27.

UNITED STATES—ASSASSINATION OF PRESIDENT LINCOLN—Notice (*Sir G. Grey*) 1081

NAVY—THE "ACHILLES"—Question, Mr. H. Baillie; Answer, Lord C. Paget.. 1081

CASE OF MARY GREEN—Question, Mr. Hennessy; Answer, Mr. C. P. Villiers.. 1082

THE JEWS IN MOROCCO—Question, Mr. H. B. Sheridan; Answer, Mr. Layard 1082

WAYS AND MEANS—THE FINANCIAL STATEMENT—

WAYS and MEANS *considered* in Committee:—The Financial Statement of the Chancellor of the Exchequer 1084

Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, in lieu of the Duties of Customs now charged on Tea the following Duties of Customs shall, on and after the 6th day of May 1865 until the 1st day of August 1866, be charged thereon on importation into Great Britain and Ireland: viz.— £ s. d.
Tea - - - - - - - - - - - - - the lb. 0 0 6"

Committee report Progress.

Writs Registration (Scotland) Bill [*The Lord Advocate*] [Bill 41]—

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*The Lord Advocate*).. 1156

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Edward Craufurd.*)

Question proposed, "That the word 'now' stand part of the Question;"—After long debate, Debate *adjourned* till *To-morrow.*

Constabulary Force (Ireland) Act Amendment Bill—

On Motion of *Sir Robert Peel,* after debate, Bill to alter the distribution of the Constabulary Force in Ireland, and to make better provision for the Police Force in the Borough of Belfast, *ordered* to be brought in by Sir Robert Peel and Sir George Grey:—Bill *presented,* and read 1° [Bill 122] 1163

LORDS, FRIDAY, APRIL 28.

Courts of Justice Building Bill (No. 23)—
Moved, That the Bill be now read 2ª,—(*The Lord Chancellor*) .. 1171
After debate, Motion *agreed to* :—Bill read 2ª accordingly.

Courts of Justice Concentration (Site) Bill (No. 56)—Read 2ª.

COMMONS, FRIDAY, APRIL 28.

Greenock Railway Bill—
Motion made, and Question proposed, "That the Greenock Railway Bill be re-committed to the former Committee,"—(*Mr. Edward Pleydell Bouverie*) 1193
After debate, Question put:—The House *divided;* A. 110, N. 76; M. 34.

POOR LAW UNIONS—AUDITORS OF ACCOUNTS—Question, Mr. Liddell; Answer, Mr. C. P. Villiers 1203

CHURCH ESTABLISHMENT (IRELAND) — THE ADJOURNED DEBATE — Question, Mr. Walpole; Answer, Mr. Dillwyn 1204

UNION CHARGEABILITY BILL—Question, Mr. Ferrand; Answer, Mr. C. P. Villiers 1204

PUBLIC BUSINESS—Question, Lord John Manners; Answer, The Chancellor of the Exchequer 1204

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

OUT-DOOR OFFICERS OF CUSTOMS—Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the grievances referred to in the Petition of the Mayor, Merchants, Shipowners, and Commercial Traders of Liverpool, which was presented on the 20th day of March last, with reference to the Out-door Officers of Customs,"—(*Mr. Hennessy,*)—instead thereof 1205
Question proposed, "That the words proposed to be left out stand part of the Question."
After debate, Question put:—The House *divided;* Ayes 80, Noes 69; Majority 11:—Question again proposed, "That Mr. Speaker do now leave the Chair."

SPIRIT DUTIES IN IRELAND — Motion for a Select Committee (*Mr. Pollard-Urquhart*) 1218
Notice taken, that 40 Members were not present; House counted, and 40 Members not being present, House adjourned.

LORDS, MONDAY, MAY 1.

UNITED STATES OF AMERICA—ASSASSINATION OF PRESIDENT LINCOLN—
Moved, "That an humble Address be presented to Her Majesty to convey to Her Majesty the exprssion of the deep Sorrow and Indignation with which this House has learned the Assassination of the President of the United States of America, and to pray Her Majesty that in communicating Her own Sentiments on this deplorable Event to the Government of the United States, Her Majesty will also be graciously pleased to express on the part of this House their Abhorence of the Crime and their sympathy with the Government and People of the United States."—(*The Earl Russell*) 1219
After short debate, Motion *agreed to, Nemine Dissentiente:*—
Ordered, That the said Address be presented to Her Majesty by the Lords with White Staves.

Qualification for Offices Abolition Bill (No. 46)—
Moved, That the Bill be now read 2ª,—(*Lord Houghton*) 1228
Amendment *moved,* to leave out ("now") and insert ("this Day Six Months")—(*The Earl of Derby.*)
On Question, That ("now") stand Part of the Motion? Their Lordships *divided;* Contents 49, Not-Contents 72; Majority 23:—*Resolved* in the *Negative:* and Bill to be read 2ª on *this Day Six Months:*—List of the Contents and Not-Contents 1236

COMMONS, MONDAY, MAY 1.

THE NATIONAL GALLERY—MR. FRITH'S "DERBY DAY"—Question, Mr. Gregory; Answer, Mr. Thomas Baring 1238

PROCEEDINGS IN CHINA—Question, Colonel Sykes; Answer, Mr. Layard .. 1239

NEWINGTON GREEN AND HORNSEY ROAD — Question, Mr. Hanbury; Answer, Mr. Thomas Baring 1239

INDIA—THE SIXTY-FOURTH FOOT — Question, General Buckley; Answer, Sir Charles Wood 1240

THE FINANCIAL STATEMENT—TEA — Question, Mr. J. B. Smith; Answer, The Chancellor of the Exchequer 1240

UNITED STATES OF AMERICA—ASSASSINATION OF PRESIDENT LINCOLN—

Moved, "That an humble Address be presented to Her Majesty to convey to Her Majesty the expression of the deep Sorrow and Indignation with which this House has learned the Assassination of The President of the United States of America, and to pray Her Majesty that in communicating Her own Sentiments on this deplorable Event to the Government of the United States, Her Majesty will also be graciously pleased to express on the part of Her faithful Commons their Abhorrence of the Crime, and their sympathy with the Government and People of the United States."

After short debate, Motion *agreed to, Nemine Contradicente:* The Address to be presented by Privy Councillors.

Bank Notes Issue (*re-committed*) **Bill** [Bill 75]—

Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair,"—(*Mr. Chancellor of the Exchequer*) 1247

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day month, resolve itself into the said Committee:"—(*Mr. Ayrton:*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

After debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to:*—Bill *considered* in Committee.

After long debate, Bill *reported* [Bill 123.]

Partnership Amendment Bill [Bill 52]—

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Mr. Milner Gibson*) 1273

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. John Peel.*)

Question proposed, "That the word 'now' stand part of the Question."

After long debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 126, Noes 39; Majority 87:—Main Question put, and *agreed to:*—Bill read 2°, and *committed* for *Monday* next:—Division List, Ayes and Noes 1273

Chelsea-Bridge Toll Abolition Bill [Bill 74]—

Motion made, and Question proposed, "That the Bill be now read a second time,"—(*Sir John Shelley*) 1301

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Bentinck:*)—Question proposed, "That the word 'now' stand part of the Question."

After short debate, Question put:—The House *divided;* Ayes 27, Noes 14; Majority 13.

Main Question put, and *agreed to:*—Bill read 2°, and *committed* to the Select Committee on the Metropolitan Toll Bridges Bill.

LORDS, TUESDAY, MAY 2.

Public Schools Bill (No. 32)—

On Motion of The Earl of Clarendon, Order of the Day *discharged,* and Bill *referred* to a Select Committee 1304

List of the Committee 1305

Bankruptcy and Insolvency (Ireland) Act Amendment Bill [Bill 65]—

Commons' Reasons for disagreeing to a certain Amendment made by this House *considered* (according to Order).

Moved, Not to insist on the Amendment to which the Commons disagree,—(*The Lord Steward*) 1305

After short debate, on Question, Whether to insist? Their Lordships *divided;* Contents 33, Not-Contents, 43; Majority 10:—*Resolved* in the *Negative:*—The rest of the Commons' Amendments *agreed to.*

Protest against not insisting 1308

Courts of Justice Building Bill (No. 23)—

Moved, That the House do now resolve itself into a Committee on the said Bill,—(*The Lord Chancellor*) 1308

Amendment *moved,*

To leave out all the Words after the Word ("That") and insert ("the Courts of Justice Building Bill and the Courts of Justice Concentration (Site) Bill be referred to a Select Committee, such Committee to inquire and report as to the probable Cost of the new Courts and the Buildings connected therewith, and what new Approaches to the proposed Site will be required, and the probable Cost thereof.")—(*The Lord Redesdale.*)

Question proposed, "That the words proposed to be left out stand Part of the Motion."

After short debate, on Question? their Lordships *divided;* Contents 55, Not-Contents 32; Majority 23:—*Resolved* in the *Affirmative:*—List of the Contents and Not-Contents 1

Then the said Motion, "That the House do now resolve itself into a Committee on the said Bill" was *agreed to:*—Bill *considered* in Committee:—Clause *agreed to:*—Bill *reported*, without Amendment.

Protest against going into Committee 1314

COMMONS, TUESDAY, MAY 2.

BAND OF THE COMMISSIONAIRES — Question, Major Stuart Knox; Answer, Mr. Cowper 1316

NAVY—CARRIAGE OF TREASURE—Question, Mr. Hanbury Tracy; Answer, Lord Clarence Paget 1316

DRAINAGE ACT (IRELAND) 1863—Question, Captain Stacpoole; Answer, Mr. Peel 1317

EDUCATION — MINUTE OF COUNCIL — Question, Mr. Adderley; Answer, Sir George Grey 1317

INDIAN OFFICERS—*Moved,*

"That an humble Address be presented to Her Majesty, praying She will be graciously pleased to redress all such grievances complained of by the Officers of the late Indian Armies, as were admitted by the 'Commission on the Memorials of Indian Officers' to have arisen by a departure from the assurances given by Parliament, by 21 and 22 Vic. c. 106, and 23 and 24 Vic. c. 100."—(*Captain Jervis*) 1318

After long debate, Question put, Ayes 49, Noes 36; Majority 13.

Bank Notes (Ireland) Bill—

Acts read; *considered* in Committee:—Bill *ordered* (*Sir Colman O'Loghlen*); read 1° [Bill 124] 1371

COMMONS, WEDNESDAY, MAY 3.

Borough Franchise Extension Bill [Bill 32]—

Motion made, and Question proposed, That the Bill be now read a second time,"—(*Mr. Baines*) 1372

Whereupon *Previous Question* proposed, "That that Question be now put."—(*Lord Elcho*) 1392

After long debate, Debate *adjourned.*

Drainage and Improvement of Land (Ireland) Acts Amendment Bill—(*Mr. Peel*)—*ordered;* read 1°. [Bill 125] 1450

TABLE OF CONTENTS.

3 *Hansard*, vol. 178

LORDS, THURSDAY, MAY 4.

UNITED STATES OF AMERICA—ASSASSINATION OF PRESIDENT LINCOLN—Her Majesty's Answer to the Address 1451

UNITED STATES OF AMERICA—ASSASSINATION OF PRESIDENT LINCOLN—DEBATE ON THE ADDRESS:—Explanation, The Earl of Derby 1451

Record of Title (Ireland) Bill (No. 63)—

Moved, That the Bill be now read 2ª,—(*The Lord Chancellor*) .. 1453

After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday next.*

Sheep and Cattle Bill (No. 58)—

Bill read 2ª, after short debate, and *committed* to a Committee of the Whole House 1458

Public Schools Bill (No. 32)—Select Committee nominated .. 1458

All Petitions, with the Exception of the Petition of Cultivators of Natural Science (presented on Tuesday last), *referred* to the Committee, with Leave to the Petitioners praying to be heard by Counsel against the Bill to be heard as desired.—(*The Earl of Ellenborough.*)

Marriages (Lambourne) Bill [H.L.]—*presented* (*The Lord Bishop of Oxford*)—read 1ª (No. 83) 1464

COMMONS, THURSDAY, MAY 4.

EXECUTIONS AT NEWGATE—Question, Mr. Hanbury; Answer, Sir George Grey .. 1465

EDUCATION—SCHOOL GRANTS—Question, Sir Stafford Northcote; Answer, Mr. H. A. Bruce 1465

THE FINANCIAL STATEMENT — Question, Mr. Darby Griffith; Answer, The Chancellor of the Exchequer 1466

FACTORIES ACT — THE CLAY YARDS — Question, Mr. Heygate; Answer, Sir George Grey 1467

FIRE INSURANCE DUTY—Question, Mr. Wyld; Answer, The Chancellor of the Exchequer 1467

WESTMINSTER PALACE CRYPT—Question, Mr. Newdegate; Answer, Mr. Cowper 1468

TURNPIKE TRUSTS—Question, Mr. Hunt; Answer, Mr. T. G. Baring .. 1469

BOROUGH FRANCHISE BILL—Observations, Sir George Grey; Answer, Mr. Baines 1469

IRELAND—THE MUSIC AT THE DUBLIN EXHIBITION—Question, Mr. Hennessy; Answer, Sir Robert Peel 1470

UNITED STATES OF AMERICA — ASSASSINATION OF PRESIDENT LINCOLN — Her Majesty's Answer to the Address 1471

WAYS AND MEANS—*considered* in Committee.

Question again proposed,

"That, towards raising the Supply granted to Her Majesty, in lieu of the Duties of Customs now charged on Tea the following Duties of Customs shall, on and after the 6th day of May 1865 until the 1st day of August 1866, be charged thereon on importation into Great Britain and Ireland: viz. £ s. d.
Tea . . . . the lb. 0 0 6:"

Amendment proposed, to leave out the words "6th day of May," and insert the words "1st day of June,"—(*Mr. Moffatt*) 1471

Question, proposed, "That the words '6th day of May' stand part of the proposed Resolution."

After debate, Amendment *withdrawn.*

Another Amendment proposed, to leave out the words "on and after the 6th day of May, 1865:"—(*Mr. Moffatt:*)—Question, "That the words proposed to be left out stand part of the proposed Resolution," put, and *negatived.*

Another Amendment proposed, To add at the end of the proposed Resolution the words "Provided, That, on special grounds, the said reduction shall not take effect until the 1st day of June 1865."—(*Mr. Moffatt.*)

Question, "That those words be added to the proposed Resolution," put, and *agreed to.*

Ways and Means—*continued,*

Original Question, as amended, put, and *agreed to.*

1. *Resolved,* " That, towards raising the Supply granted to Her Majesty, in lieu of the Duties of Customs now charged on Tea the following Duties of Customs shall, until the 1st day of August 1866, be charged thereon on importation into Great Britain and Ireland: viz. £ *s. d.*
Tea . . . . the lb. 0 0 6:
Provided, That, on special grounds, the said reduction shall not take effect until the 1st day of June 1865."

Then, after short debate,

2. *Resolved,* " That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the 6th day of April 1865, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the 16th and 17th years of Her Majesty's reign, chapter 34, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, certain Rates and Duties 1502

Then, Motion made, and Question proposed,

" That, towards raising the Supply granted to Her Majesty, and in lieu of the Duties now payable in respect of Insurances against loss or damage by Fire only, there shall be charged, collected, and paid for the use of Her Majesty, Her heirs and successors, certain Duties."

Amendment proposed, in the 7th line of the proposed Resolution, to leave out the words 25th day of June," and insert the words " 15th day of May,"—(*Sir James Fergusson.*)

Motion made, and Question proposed, " That the words proposed to be left out stand part of the proposed Resolution."

After debate, Question, " That the words proposed to be left out stand part of the proposed Resolution," put, and *agreed to.*

Original Question put, and *agreed to.*

3. *Resolved,* " That, towards raising the Supply granted to Her Majesty, and in lieu of the Duties now payable in respect of Insurances against loss or damage by Fire only, there shall be charged, collected and paid for the use of Her Majesty, Her heirs and successors, certain Duties."

Constabulary Force (Ireland) Act Amendment Bill [Bill 122]—
After short debate, Bill read 2° 1512

Colonial Governors' Retiring Pensions—*considered* in Committee.
Resolution (*Mr. Cardwell*) *agreed to:*—Bill *ordered* 1519

Isle of Man Disafforestation (Compensation) Bill [Bill 67]—
Motion made, and Question proposed, " That the Bill be now read the third time,"—(*Mr. Peel*) 1520

Amendment proposed,

To leave out from the words " That the " to the end of the Question, in order to add the words " said Order be Discharged,"—(*Mr. Augustus Smith,*)—instead thereof.

Motion made, and Question, " That the words proposed to be left out stand part of the Question," put, and *agreed to:*—Main Question put, and *agreed to:*—Bill read 3°, and *passed.*

Tories, Robbers, and Rapparees (Ireland) Bill [Bill 95]—
Bill *considered* in Committee; and, after short debate, *reported* .. 1521

Borough Franchise Extension Bill [Bill 32]—
Debate further adjourned.

Turnpike Tolls Abolition—
After short debate, Bill *ordered* (*Mr. Whalley*) 1524

Arrests for Debt Abolition (Ireland) Bill—(*Sir Colman O'Loghlen*)—*ordered;* read 1° [Bill 126] 1524

Dogs Regulation (Ireland) Bill—(*Sir Robert Peel*)—*ordered;* read 1° [Bill 127] ... 1524

LORDS, FRIDAY, MAY 5.

Leonard Edmunds, Esq.—Resignation of Certain Offices—The Report of the Select Committee—Observations, The Earl of Derby 1525

The Defences of Canada—Question, The Earl of Airlie; Answer, Earl De Grey and Ripon 1526

Select Committees—Resolution (*The Earl Stanhope*) 1531

Case of Colonel Johnson—Observations, Earl Vane; Ans., The Lord Chancellor 1531

COMMONS, FRIDAY, MAY 5.

WORKHOUSE NURSES—Question, Mr. Arthur Mills; Answer, Mr. C. P. Villiers 1533

THE ZOLLVEREIN—Question, Mr. W. E. Forster; Answer, Mr. Layard .. 1535

ENDOWMENTS FOR EDUCATION—MINUTE OF COUNCIL—*presented* (*Mr. H. A. Bruce*) 1535

SUPPLY—Motion, "That Mr. Speaker do now leave the Chair:"—

SCIENCE AND ART COLLECTIONS—Observations, Mr. Gregory; Answer, Mr. Cowper:—Debate thereon 1537

IRELAND—MILITARY OCCUPATION OF THE CURRAGH—Question, Lord Naas; Answer, Mr. Peel:—Debate thereon 1566

Motion put, and *agreed to.*

SUPPLY *considered* in Committee:—Committee report Progress.

WAYS AND MEANS—

Considered in Committee:—£1,000,000 Exchequer Bonds 1570

Writs Registration (Scotland) Bill—[*The Lord Advocate*]—[Bill 41]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [27th April], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Edward Craufurd:*)—Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* 1571

After short debate, Amendment, by leave, *withdrawn*:—Main Question put, and *agreed to*:—Bill read 2°.

Forfeiture for Treason and Felony Bill—(*Mr. Attorney General*)—*ordered* ... 1572

Pilotage Order Confirmation Bill—

Resolution in Committee:—Bill *ordered* (*Mr. Dodson*) 1572

Pier and Harbour Orders Confirmation Bill—

Resolution in Committee:—Bill *ordered* (*Mr. Dodson*) 1572

IRELAND—THE DUBLIN EXHIBITION—Resolution (*Mr. Hennessy*) .. 1572

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present, House adjourned.

LORDS, MONDAY, MAY 8.

LEONARD EDMUNDS, ESQ.—RESIGNATION OF CERTAIN OFFICES—REPORT OF THE SELECT COMMITTEE—Notice of Resolutions—Lord Redesdale .. 1573

Strikes and Lock-Outs—

A Bill to establish equitable Councils of Conciliation to adjust Differences between Masters and Operatives, *presented* by The Lord St. Leonards; and, after short debate, read 1ª (No. 92) 1575

Courts of Justice Building Bill (No. 23)—

Bill read 3ª (according to Order.)

Amendment *moved* to leave out Clause 16 (*Lord St. Leonards*) .. 1578

After debate, Motion *negatived.*

Amendment *moved* to leave out Clause 22 (*Lord St. Leonards*) .. 1581

On Question, "That the said Clause stand part of the Bill?" their Lordships *divided*; Contents 46, Not-Contents 47; Majority 1:—Amendment *agreed to*:—Clause *struck out*:—Bill passed and sent to the Commons.

List of the Contents and Not-Contents 1583

Courts of Justice Concentration (Site) Bill (No. 56)—

Bill read 3ª (according to Order.)

Amendment *moved* in Clause 14, to leave out the words "Bridges over or" (*Lord St. Leonards*) 1584

Amendment *negatived.*

COURTS OF JUSTICE CONCENTRATION (SITE) BILL—*continued.*

Moved, after Clause 18, to insert New Clause (*Lord St. Leonards*) .. 1584

After debate,—On Question, their Lordships *divided;*—Contents 47, Not Contents 44; Majority 3:—Amendment *agreed to*:—Clause added to the Bill:—Bill passed and sent to the Commons:—List of the Contents and Not-Contents 1588

Protest against the Third Reading 1589

Protest against the insertion of the words "Bridges over or" in Clause 14 .. 1595

Juries (Ireland) Bill (No. 55)—

Moved, That the Bill be now read 2ª,—(*The Marquess of Westmeath*) .. 1595

After debate, Motion *withdrawn*:—Bill *withdrawn.*

THE POLICE IN IRELAND—

Returns moved for (*The Earl of Leitrim*) 1598

COMMONS, MONDAY, MAY 8.

THE 3RD MIDDLESEX MILITIA—Question, Mr. Denman; Answer, The Marquess of Hartington 1598

CONDITION OF MINES—Question, Mr. Kinnaird; Answer, Sir George Grey .. 1599

INDIA—EXPORT DUTIES—Question, Mr. Caird; Answer, Sir Charles Wood .. 1600

RUPERT'S LAND—Question, Mr. Watkin; Answer, The Attorney General .. 1601

INDIA—LOAN—Question, Mr. Crawford; Answer, Sir Charles Wood .. 1601

INDIA—THE LUCKNOW BOOTY—Question, Sir Stafford Northcote; Answer, Sir Charles Wood 1601

MR. MASON JONES—Explanation, Lord Elcho 1602

NAVY—DOCKYARD ACCOMMODATION—Question, Sir Stafford Northcote; Answer, The Chancellor of the Exchequer 1603

IRELAND—OPENING OF THE DUBLIN EXHIBITION—Observations, Sir George Grey 1604

AZEEM JAH—(SIGNATURES TO PETITIONS)—

Report of Select Committee *considered* 1604

Motion made, and Question proposed,

"That George Morris Mitchell, having fabricated signatures to several Petitions presented to this House, and having knowingly procured other fabricated signatures to such Petitions, has been guilty of a breach of the privileges of this House,"—(*Mr. Charles Forster.*)

After debate, Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Report of the Committee be re-committed to the said Committee,"—(*Lord Robert Cecil,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question.

After further debate, Debate *adjourned* till *To-morrow.*

Borough Franchise Extension Bill [Bill 32]—

Order read for resuming Adjourned Debate on Previous Question [proposed 3rd May], "That the Question, 'That the Bill be now read a second time,' be now put:"—(*Lord Elcho*:)—Question again proposed:—Debate *resumed* 1613

After long debate, *Previous Question* put, "That that Question be now put:" —The House *divided;* Ayes 214, Noes 288; Majority 74.

Division List, Ayes and Noes 1705

WAYS AND MEANS—REPORT—

Resolutions [May 5] *reported,* and *agreed to:*—Bill *ordered* to be brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Mr. Peel.

Clerical Subscription—

Clerical Subscription *considered* in Committee.

Notice taken that 40 Members were not present; Committee counted, and 40 Members not being present:—Mr. Speaker resumed the Chair;—House counted, and 40 Members not being present;—House adjourned.

COMMONS.

NEW WRITS ISSUED.

WEDNESDAY, MARCH 22.

For *Devon* (Northern Division), *v.* James Wentworth Buller, Esq., deceased.

THURSDAY, MARCH 30.

For *Louth, v.* Richard Montesquieu Bellew, Esq., Commissioner of Poor Laws in Ireland.

For *Evesham, v.* Sir Henry Pollard Willoughby, Baronet, deceased.

WEDNESDAY, APRIL 5.

For *Salop* (Southern Division), *v.* Viscount Newport, now Earl of Bradford.

FRIDAY, APRIL 7.

For *Rochdale, v.* Richard Cobden, Esq., deceased.

For *Wigton District of Burghs, v.* Sir William Dunbar, Baronet, Commissioner of Auditing the Public Accounts.

For *Clackmannan and Kinross Shires, v.* William Patrick Adam, Esq., Commissioner of the Treasury.

THURSDAY, MAY 4.

For *Lambeth, v.* William Williams, Esq., deceased.

NEW MEMBERS SWORN.

TUESDAY, MARCH 21.

Wilts (Northern Division)—Lord Charles Bruce.

MONDAY, APRIL 3.

Devon (Northern Division)—Thomas Dyke Acland, the younger, Esq.

THURSDAY, APRIL 6.

Evesham—James Bourne, Esq.

MONDAY, APRIL 24.

Salop (Southern Division)—Hon. Percy Egerton Herbert.

Clackmannan and Kinross—William Patrick Adam, Esq.

Rochdale—Thomas Bayley Potter, Esq.

Wigton, &c., Burghs—George Young, Esq.

THURSDAY, MAY 4.

Louth—Tristram Kennedy, Esq.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

Seventh Session OF THE *Eighteenth Parliament* OF THE
United Kingdom OF *Great Britain* AND *Ireland*,
Appointed to meet 31 May 1859, and from thence Continued till 7 February 1865, in the Twenty-eighth
Year of the Reign of

HER MAJESTY QUEEN VICTORIA.

SECOND VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, March 21, 1865.

MINUTES.]—Public Bills — *First Reading*—Consolidated Fund (£175,650).*
Second Reading—Affirmations (Scotland) (40).

AFFIRMATIONS (SCOTLAND) BILL.
(No. 40) SECOND READING.

LORD CHELMSFORD, in moving the second reading of the Bill, said, its object was to extend to criminal courts in Scotland the same practice which already existed in the civil courts—that of allowing persons who had conscientious objections to take an oath to make a solemn affirmation as to the truth of their statements. Some of the inconveniences of the discrepancy at present existing in this respect between the laws of Scotland and those of the rest of the United Kingdom were manifested on a recent occasion, when the sheriffs would not allow a witness to make a declaration in their Court on the ground that no Order in Council had been issued extending the operation of the existing Act to that Court, although Her Majesty had power to do so. The Bill had passed unanimously through the other House of Parliament, and he hoped their Lordships would not offer any opposition to it.

The LORD CHANCELLOR having pointed out that the language of the 3rd section would need some slight alteration;

Bill read 2ª, and *committed* to a Committee of the Whole House on *Thursday* next.

IMPRISONMENT ON CIVIL PROCESS, MIDDLESEX.—QUESTION.

The Marquess TOWNSHEND asked, If Her Majesty's Government intended to take any Steps to rectify an Omission in the Regulations made by the Justices of Middlesex, in consequence of which there is no provision made for the Reception of Persons committed to Prison in default of paying Moneys ordered in Civil Process by Police Courts.

Earl GRANVILLE said, there could be no doubt that the present arrangements had been attended with great evils. The point of law which had been raised would come before the Court of Queen's Bench for decision early next term, and the Government therefore did not intend to take any steps in the meantime. They had, however, been in communication with the Middlesex magistrates with a view of inducing them to provide the requisite accommodation pending the decision of the legal question.

CASUAL POOR—METROPOLIS.

QUESTION.

The Marquess TOWNSHEND asked, Whether the Practice adopted by Guardians of the Poor in the Metropolis of turning out of Workhouses at early Hours in the Morning casual poor Persons who have no Employment or Places of Residence has met with the direct Sanction of the Poor Law Board; and whether, on the contrary, in accordance with the Law for the Relief of the Poor, Guardians ought not to provide Food and Shelter at all Times for all Destitute Persons, irrespective of their Places of Settlement, until they may choose to discontinue receiving it or until they are passed to their respective Parishes. The noble Marquess said that then these temporary resting places for the poor were frequently such as to be altogether unworthy of the civilization of the country, and yet from these places of shelter, miserable as they were, the poor were turned out long before the sun had warmed the streets, and without any possibility of finding shelter elsewhere. Under such circumstances it was not to be wondered at that beggars should infest the streets, or that persons should be tempted to the commission of crime. Only last Sunday he had witnessed pitiable cases of exposure to the harsh and blighting weather of that day. He had been greatly surprised at the statement made in another place by the President of the Poor Law Board to the effect that the Act of last Session had worked satisfactorily.

Lord HOUGHTON said, he wished his noble Friend had brought the subject before the House in a somewhat more formal manner, inasmuch as it related to the success or failure of a measure which had been passed last Session for the relief of the casual poor, and involved the solution of a very difficult question. He had himself moved for Returns on the subject which had been presented to the House; and further Returns had been ordered by the other House. The question was far more difficult and important than the noble Lord imagined. The question of the treatment of the casual poor was one affecting not only the operation of the Poor Law but the habits of the English people. It was, he believed, the fact that while a great many of the workhouse wards, which had been built at considerable expense, were by no means full during the most inclement weather, there were other places of refuge, which had been provided by the charity of some munificent private persons, which were crowded to excess. That being so it was quite clear that the public money was to a great extent thrown away, although there could be no doubt that the excellent ladies by whom those refuges were established were actuated by the purest motives. He had been informed that there was only one night during the past year in which the refuges were full, and that was the night preceding the execution of Müller, when an enormous number of the vagrant class came up from the country. To make these wards too agreeable to those who frequented them would be to attract large numbers of the vagrant poor from the rural districts. Indeed, the impression on his own mind was that there had been during the last three or four years a great increase in the number of vagrant poor wandering through the streets of the metropolis. The matter became, therefore, every day of a more pressing character, and he thought some measure should be adopted to remedy the existing state of things, and to provide in some fitting way for persons in that miserable condition. The authorities at the Poor Law Board were, he believed, most desirous to improve that condition, and how to do so without attracting the poor from the country to the city was the problem to be solved. The question, however, was, as he said before, a very difficult one, and he wished there was some Member of the House who, from his official position, or his practical acquaintance with the evils which existed, would be enabled to submit it to their Lordships' notice with the authority and in the manner which its importance demanded. An occasion had only the other day arisen when the presence of an official connected with the Poor Law Department might be secured in that House; and seeing how desirable it was that there should be somebody to answer any questions which might be put on so important a subject as the administration of the Poor Law, he thought that point was one deserving of consideration—especially when it was borne in mind that both the President and Secretary of the Poor Law Board, and the Secretary and Under Secretary of State for the Home Department sat in the other House.

Earl GRANVILLE said, he was glad his noble Friend (Lord Houghton) had interfered between the noble Marquess and himself, and that he had exhibited so much fairness in dealing with the very difficult question of how it was possible to deal with our casual poor without increasing habits of vagrancy. As to the complaint that there was nobody to represent the Poor Law Board in their Lordships' House, he could only say that the charge which was most frequently made against the Government in that respect was that the public Departments were to too great an extent represented there, and not sufficiently in the other House of Parliament. Be that as it might, he was quite sure that among the official Members of their Lordships' House there were many noble Lords—among others his noble Friend himself—who were perfectly qualified to deal with the question. In reply to the noble Marquess (the Marquess Townshend) he might state that the Poor Law Board was not aware that the casual poor were turned out of the workhouse early in the morning in the manner he had described. The Poor Law authorities had certainly given no order to that effect, and the fact was, he believed, that many of those poor people discharged themselves in the morning of their own accord. If, he might add, any of these poor persons represented themselves as utterly destitute and requiring relief, they were handed over to the relieving officer, or if they stood in need of medical attendance or food, there were regulations providing that they should receive the necessary assistance through the relieving officer. A Minute had been issued by the Department this winter going into great detail as to the duties which those officers would have to perform, and as to the manner in which they should be discharged.

The Earl of HARROWBY, admitting the difficulties of the subject, said, he thought it was a matter deserving of consideration whether the vagrant poor of the metropolis should not be placed rather under the control of the police than of the parochial authorities. He also expressed a hope that his noble Friend who had spoken second in the discussion would take upon himself the duty of moving for a Select Committee to inquire into the matter.

House adjourned at a quarter before
Six o'clock, till Thursday next
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, March 21, 1865.

MINUTES.] — New Member Sworn — Lord Charles Bruce *for* County of Wilts (Northren Division).

Select Committee — On Office of Works, &c., *negatived*; Valuation of Lands and Heritages (Scotland); Sir Edward Colebrooke *disch.*, Sir John Ogilvy *added;* on Taxation of Ireland Lord John Browne *added.*

Report—Bankruptcy Act Committee * [144].

Supply—*considered in Committee* — Resolutions [March 20] *reported.*

Public Bills—*Resolutions in Committee*—Roman Catholic Oath * ; Chemists and Druggists (No. 2.)* ; Tests Abolition (Oxford).*

Reported—Lahore Bishopric.

Ordered—Roman Catholic Oath* ; Chemists and Druggists (No. 2.)* ; Tests Abolition (Oxford)* ; Procurators (Scotland) * ; Militia Pay * ; Lahore Bishopric.*

First Reading — Roman Catholic Oath [86]; Chemists and Druggists (No. 2.) [84]; Tests Abolition (Oxford) [85].

UTILIZATION OF SEWAGE AND LAND RECLAMATION (IRELAND) BILL.

COMMITTEE.

Sir COLMAN O'LOGHLEN said, he rose to move that this Bill be referred to the Select Committee on the Metropolis Sewage and Essex Reclamation Bill. Similar witnesses would have to be examined in both cases, and therefore it would save a great amount of time and expense to consider the two Bills together.

Motion made, and Question proposed,

"That the Utilization of Sewage and Land Reclamation (Ireland) Bill be referred to the Select Committee on the Metropolis Sewage and Essex Reclamation Bill."—(*Sir Colman O'Loghlen.*)

Colonel **WILSON PATTEN** said, there could have been no objection to referring this Irish Sewage Bill to the English Sewage Select Committee had the Committee been willing to undertake its consideration; but from a communication which he had had with some of the Members of that Committee, he found that they were unwilling to accept the consideration of the Bill, and therefore he would suggest that the Motion now before the House should be withdrawn.

Sir **COLMAN O'LOGHLEN** said, he would consent to accept the suggestion of the hon. and gallant Member.

Motion, by leave, *withdrawn.*

FIRES IN LONDON.—QUESTION.

Mr. **HANKEY** said, he would beg to ask the Under Secretary of State for the Home Department, When he proposes to introduce his Bill for the better protection of Life and Property against Fires in the Metropolis?

Mr. **T. G. BARING** said, in reply, that he hoped the Bill would be introduced very shortly.

WATERWORKS RESERVOIRS.
QUESTION.

Mr. **FERRAND** said, he rose to ask the Secretary of State for the Home Department, If Mr. Rawlinson, the Government Engineer, has made any other Reports on the state of Waterworks Reservoirs than those already published; and, if so, whether he will lay them upon the table of the House?

Sir **GEORGE GREY** said, in reply, that Mr. Rawlinson had made a Report concerning some Reservoirs at Rochdale, the hon. Member for Rochdale having requested that such inquiry should take place, and also a Report in reference to the bursting of a Reservoir near Whitehaven.

Mr. **FERRAND** asked if the Reports were to be laid upon the table.

Sir **GEORGE GREY** said, they should be laid on the table if they were moved for.

EXECUTION AT DURHAM OF MATTHEW ATKINSON.—QUESTION.

Mr. **LAWSON** said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the horrible scene which took place at the execution of Matthew Atkinson in Durham; and whether he has made inquiry into the conduct of the authorities who had the management of that execution?

Sir **GEORGE GREY** said, in reply, that the day after this unhappy occurrence the Governor of Durham Gaol wrote to him and stated the precautions which had been taken to prevent any such accident. He had thereupon written to the High Sheriff of the county, who was the person directly reponsible for carrying out the execution, calling his attention to the statement of the Governor, expressing his opinion that sufficient care had not been taken to test the rope beforehand, and hoping that if unfortunately another execution should take place at Durham, greater precaution would be used to prevent the possibility of the occurrence of so deplorable an event.

CONSULAR REPORTS.—QUESTION.

Mr. **BAINES** said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether it is intended to issue the Consular Reports and Reports of the Secretaries of Legation, for the information of the mercantile public, at shorter intervals?

Mr. **LAYARD**, in reply, said, he had made arrangements at the Foreign Office for the issue of these Reports as speedily as possible, and he hoped they would be placed on the table at the end of every month, or as soon after the last day of the month as possible.

OFFICE OF WORKS, &c.
MOTION FOR A SELECT COMMITTEE.

Mr. **AUGUSTUS SMITH**, in moving for a Select Committee to inquire into the Office of Works and the Office of Woods, Forests, and Land Revenues, said, that in the second Session of the present Parliament Mr. Wise, then Member for Stafford, but now no longer a Member of the House, moved for an inquiry into the whole Civil Service expenditure of the country, specially animadverting upon these two Departments. The inquiry which took place in consequence was directed to the Office of Works, but not to the Office of Woods; and owing to the failure of Mr. Wise's health and other causes it was not so satisfactory as could be wished, though many useful suggestions were made by the Committee. Last Session he endeavoured to bring the subject before the House, but it was too late for the appointment of a Committee, and he then gave notice of his intention to submit certain Resolutions. These were to the effect that the uncertain, intermixed, and undefined authority and rights of the First Commissioner of Works and the Commissioners of Woods and Forests, in reference to portions of the lands, premises, and buildings constituting what were known as the Crown lands, were anomalous and unsatisfactory; that the Commissioner of Works was not justified in ordering or inviting plans for any public building until the destination, site, and cost of the same should have been sanctioned by Parliament; that the receipts of every kind of the Office of Woods and Forests ought to be paid direct into the Exchequer in accordance with the recommendation of the Committee on Public Moneys, and that no payment should be made until it had been first sanctioned by this House; and lastly, that the Crown lands and buildings ought to be available for the use of public Departments without the payment of rent to the Crown. Works had frequently been undertaken by the Department in anticipation of and even in direct contradiction to the opinion of the House, and the House had been called upon merely to register the pleasure of the Office of Works. Again, the Woods and Forests were the only Department of the State which was allowed to spend public money without the authority of Parliament; while large sums had been charged in the Estimates as rents payable to the Crown, and large sums of money had been voted for the purchase of sites for public offices in Downing Street and elsewhere, when, in point of fact, the land belonged to the public. It was only since 1851, when the offices of Works and Woods were divided, that this principle had been acted upon. This division was effected with the view, it was stated, to more economical management, and to their being rendered more efficient for the purposes for which they existed. But, in the event, it was found far from being an economical arrangement, for the expenses of the two Offices were just double what they had been previously. In 1862 a Report was drawn up, in which a comparison was made between the state of the Departments previous to and subsequent to the change. From this it appeared that for the ten years previous to 1852 the cost of the united offices was only £260,000, and, including some other expenses, the annual cost did not amount to more than £36,000. During the ten years which followed 1852, however, the expense of each of the Offices was nearly as great almost as the expense of the united Offices had been for the previous ten years, and the cost for both was £68,000 a year, as against £36,000 previous to 1852. The accounts for both the Offices had been regularly increasing from year to year. In 1863 the Office of Woods cost £27,000, and in the next year it cost £28,000. In like manner the cost of the Office of Works rose in those two years from £31,000 to £32,000. It must be borne in mind that, besides the expenditure which appeared in the Reports of the Commissioners, a large amount, which appeared in the Estimates voted by that House, was to be taken into account, and that amount must be added to the expense paid by the Commissioners out of the funds before they were paid over to the Exchequer. An unfair inference might be drawn from the Reports of the Commissioners, because the large additions of property acquired by the Department was carefully kept out of view, and therefore it was desirable to notice that the increase of revenue was not owing to any better management, but arose from the acquisition of various properties. Thus rent had been charged to a large amount for public buildings—a practice only introduced recently, and he thought it perfectly absurd that the public should be receiving with one hand money which they paid away with the other. Then again large Votes were passed by that House for the sites of public buildings. Thus, for instance, when the State Paper Office, which had some years before been built at the expense of £40,000, was pulled down to make room for the new Foreign Office, £7,000 were actually demanded and paid by money voted by that House, to the Woods and Forests for the site. He hoped to hear some explanation of the grounds on which such a transaction could be justified. Valuable rights in different parts of the kingdom had been neglected, whereas they ought to have been well looked after, and the revenues received from them rendered available for public purposes. A sort of roving Commission had gone through the country to see what property could be taken possession of by the Department, and there had been contentions in Wales and elsewhere with respect to the foreshores. An immense addition to the capital account had been obtained, and the revenue ought to be much greater than it was. Then, again, great claims had been made in Scotland with regard to the salmon fisheries, and in Hull, property which had been in the possession of the War Office since the time of Charles I., had been added to the property of the Department he was now referring to. Similar claims had been made in other parts of Great Britain and also in Ireland; but there was no justification for appropriating these acquired possessions simply to what was called Crown property. Another source of income to the Department was the disafforestation of several forests; for that process was accompanied by the cutting down of the timber which had been planted at the public expense. He maintained that the money obtained for such timber ought to have gone at once into the Exchequer. The State forests had been despoiled of their timber during the last ten years to the extent in value of £166,000 more than in the previous ten years, evidently for the purpose of unfairly swelling the revenue derived from that Department. It appeared that the outlays for improvements on what was called Crown property in the course of the present reign amounted to very nearly a million and three quarters. If these improvements were effected at the expense of the public upon what was a mere life estate, he asked whether it was justifiable that the cost of them should come out of the public purse? Large sums had been acquired by the sale of foreshores, which in the judgment of the best legal authorities was not property belonging to the Crown personally, but was held by it in trust for the public. Therefore, when that property was parted with, its proceeds ought to be paid into the Exchequer, instead of going to swell the revenues of the Woods and Forests. With regard to foreshores, no less a sum than £230,000 had been realized by the sales of foreshores in the United Kingdom, which ought to have gone into the public Exchequer, instead of forming part of the capital account of the Woods and Forests. Up to the year 1862, the sale of foreshores realized £205,000, and since that time the sales had gone on at the rate of £10,000 per annum. By the Return it appeared that during the last two years the sale of foreshores in Wales amounted to £3,000; in England £15,000. In Scotland, where people were rather more careful, these aggressions had not been so extensive, the sales in three years only amounting to £1,500; while in Ireland again the amount received for foreshores in two years was about £2,000. The total sum received, and added to capital account, in two years for that description of property, was £22,000, or at the rate of £11,000 per annum. Again, let them glance at the expenditure of the Department compared with the amount of the revenue. The gross revenue according to the Report of the Commissioners was £425,766 for the year ending 31st of March, 1864. The total payments for that year into the Consolidated Fund were £305,000, leaving a residue of £120,700, or two-sevenths of the whole receipts, which the Commissioners had expended at their own discretion. That, however, did not cover the amount of their expenses, because the actual expenditure of their office to be deducted from the £425,000 was £123,000. Nor was that the entire cost, for to it must be added the charges for stationery, postages, coal, furniture, and various items of that kind, included in the Civil Service Estimates, and which amounted to about £50,000. Thus there was an expenditure of not less than £173,000, out of the £425,766 or two-fifths of the whole gross revenue. What private gentleman with £5,000 a year would like to have £2,000 of it deducted for expenses? Surely he would think the case one calling for an inquiry, and an inquiry was what he was now asking from the House. He next came to the subject of the forests, on which there had on former occasions been frequent animadversions made in that House. The accounts of the Department exhibited such an extraordinary state of things in this respect that so far from those forests being a source of profit to the country they actually caused it to go into debt. The accounts for 1863 showed the receipts from Windsor Forest to be £17,000, and the expenditure £18,000; but if they put Windsor and the other forests together the sum received was £56,400 against £50,700 expended. That showed an apparent gain of between £5,000 and £6,000—a very small sum to go to liquidate the charges borne upon the Estimates for the Office of Woods and Forests. In 1864 Windsor and the other forests produced to the country a revenue of £42,000 against an expenditure of £46,000; and taking the two last years together they had a revenue of £99,000 against an expenditure of £97,000. Instead of keeping up a property which was so unprofitable would it not be better to let it pass into private hands that could make some use of it, and obtain from its proceeds the means of acquiring other land that might be requisite for the public service? The Commissioners, when they wanted unduly to swell the amount of the revenue of the Department, felled a large quantity of timber. [*Cries of* "Divide!"] The House appeared anxious to divide, but he thought it was essential that the House should be in possession of certain facts before going to a division, and his object in bringing the subject before the House was to show that an inquiry ought to take place into the manner in which the two Departments in question were managed. The misfortune was that no one was responsible for the Woods and Forests Department. When the First Commissioner of Woods and Forests had a seat in that House there was some one to look to for explanation and information upon any given point. Now they were told that the Secretary to the Treasury would answer any inquiry; but when questions were put to him it often turned out that the hon. Gentleman's information was second-hand—that he was misinformed—and he had to make further inquiry. The Woods and Forests Department was the only Department of the State that was allowed to expend public money without a Vote of that House, and the sooner it was altered the better. In 1857 the Public Moneys Committee reported, with reference to this Department, that it was essential to the proper Parliamentary control of public moneys that the whole revenues, after providing for certain charges, should be paid into the Consolidated Fund, from which it could not be drawn without the sanction of Parliament. And with regard to the charges on the land revenue, the Committee reported, in 1857, that, unless some constitutional difficulty were involved, they should be brought under Parliamentary control. Well, was there any constitutional reason why the whole receipts of this Department should not, like every other branch of the revenue, be paid into the Exchequer? As far as he knew there was none. Mr. Huskisson in former times, Lord Monteagle, and others strongly recommended that all receipts should be paid first of all into the Exchequer, and that no expenditure should be incurred by any Department without the sanction of the House. He believed it was quite within the power of the Treasury to establish the alteration for which he contended. These Commissioners were, under the late change, nothing more than the stewards or agents of the public, and they were bound to conduct all their business in such manner as the Treasury should direct. The Treasury, therefore, were perfectly able to enforce on the Commissioners those alterations in the management of the revenues of the Department for which he contended. He now came to the Office of Public Works. That Office had been described by a right hon. Gentleman who now sat on the Treasury Bench in these terms—

> "Nothing," he said, "could be more lamentable and deplorable than the state of the whole arrangement with regard to the management of the Public Works. Vacillation, uncertainty, costliness, and all the conflicting vices that could be enumerated were united in our present system. He believed such were the evils of the present system that nothing short of a revolutionary reform would be sufficient to remedy it."

Such was the language of the Chancellor of the Exchequer. The right hon. Gentleman had been rather given of late to lay down revolutionary propositions; and he (Mr. Augustus Smith) trusted the right hon. Gentleman would come to his assistance to-night with some such scheme of revolutionary reform. There was a very complex arrangement with regard to the properties placed under the charge of the First Commissioner. Palaces, parks, public gardens, which formed originally part of the Crown lands, were placed under his charge. A variety of other parks and public building acquired and bought by the Consolidated Fund should be kept separate as public property. These were under the Office of Public Works; but then came in the Woods and Forests and claimed what might be called the fringe of these parks—the valuable building ground in connection with them; but then the public got no benefit from the valuable ground so acquired. Richmond Park, for instance, was part under the Woods and part under the Works. The Office of Works was subject to the caprice of the First Commissioner, and there was no person to keep a consecutive management in the different Departments. The separation of the Offices had produced this result and doubled the expenditure. One Department had been taken out of the cognizance of that House, inasmuch as there was no one there to answer for the expenditure. The points upon which he would urge the appointment of a Committee were —first, as to whether the separation of the Offices had really been advantageous or not; also whether the Office of Woods was at all satisfactory, and whether the expenses incurred were not larger than they ought to have been; next, whether the revenue derived from the Woods ought not to be paid directly into the Exchequer? Then, as regarded the Office of Works, was the person who held that office justified in adopting any measures upon his own authority? The next point was, ought the Crown lands and buildings, such as were required for public purposes, to be available to the public without any payment or charge? If the public had no benefit or permanent interest in these properties, were they justified in laying out a large sum of money upon them? Whatever expenditure was incurred it ought to be spread over a long period. If there was to be such a distinction drawn between the public and the Crown property as he had referred to, he could only say that they ought to be put under a distinct and independent management; and, further, that property which had been called Crown property, but which had been really acquired by large payments out of the Consolidated Fund, ought to be separated and the public given the full benefit of it. There ought also to be something done with the forests, because to keep them as they were would be a great disgrace and a national loss.

Motion made, and Question proposed,

That a Select Committee be appointed, "to inquire into the Office of Works, and the Office of Woods, Forests, and Land Revenues," —(*Mr. Augustus Smith.*)

MR. NEATE thought it was very desirable this Committee should be appointed, as within the last thirty years the Government, on behalf of the Crown, had been taking upon themselves an entirely new character—that of landed proprietors, and it was well worth consideration how far the Government had acted wisely in that. They had been building houses, and in fact doing everything that enterprising landed proprietors would do. The Government had also put themselves into the hands of London valuers, and exacted extravagant rates. Another very important public question might soon arise, perhaps in the next reign, whether a civil list would be wanted, or whether the revenue of the Crown estates would be sufficient. Was it desirable that the Sovereign should be placed in the position of a great landed proprietor, and made entirely independent of all grants from the State? These were questions which a Committee might well inquire into.

MR. PEEL said, the hon. Member for Truro (Mr. A. Smith) had pressed for an inquiry into the Office of Woods and Works, and in his speech had referred to some Resolutions of which he had given notice last Session. The hon. Member also stated that there was much in the business of each of the two Offices which was common to both, and any difference between them was not clearly defined. That was wholly unfounded. The properties managed by these two Offices were perfectly distinct and separate from each other. The property under the management of the Office of Woods was the hereditary possession of the Crown, and administered, subject to the necessary outlay for the maintenance and improvement of the inheritance, for the purpose of the revenue; and the property administered by the Office of Works consisted of buildings and of the parks in London which were held and had been acquired for Government Offices, for national collections, and for the recreation and enjoyment of the public. The hon. Member stated that the Office of Works had certain rights over portions of the Crown property, and had referred to certain buildings which were occupied as Government Offices, such as the Admiralty and Treasury Offices; but he (Mr. Peel) had never heard that any inconvenience had arisen either to the public or the Office of Works in consequence of these buildings being the property of the Crown. The hon. Member had also drawn attention to the fact that while the parks in London which had been set out for the enjoyment of the public were under the management of the Office of Works, the property which was reserved had been placed under the Office of Woods, being the only part which yielded any profit. He (Mr. Peel) would take the two parks—Regent's Park and Victoria Park. These were acquired at the expense of the Crown revenues, and the Crown, having reserved a certain portion of them, planted and laid out the greater part for the use of the public, and entirely at the expense of the Crown revenue. When the partition of the Offices took place in 1851, an Act of Parliament, by which the two Offices were separated, transferred the management of that portion of the parks which had been laid out at the expense of the Crown revenue to the Office of Works, and also directed that all those portions, whether of houses or lands, which had been reserved should remain under the management of the Office of Woods. He conceived that any income that might be derived from the building leases was not more than a fair compensation to the Crown for the expense incurred to the revenue in laying out the parks for the benefit of the public. The hon. Member expressed his regret that these two Offices were ever separated, and stated that that separation had not resulted in that economy which was expected, but on the contrary caused great extravagance, and that it was to be regretted the Chief Commissioner of Woods had no longer a seat in that House, as he had at the time when the two Offices were combined. The two Offices were united in 1832. Up to that time there had been a separate Department for the accounts of public buildings. The experiment of a union was tried for nearly twenty years; but in 1851 the two Departments were again separated, because it was found that the experiment was unattended with success. The experiment partly failed because it was found that many public works were being carried out at the charge of the Land revenue instead of the general revenue, and, no doubt, the latter course would have been adopted but for the necessity of placing the services upon the Estimates, and thus insuring a discussion to which, though inconvenient, they ought to have been submitted. Another cause of failure was the adoption of the very course of which the hon. Gentleman was so enamoured that he desired it to be re-established—namely, the availability of Crown lands for the public service without the demand of any rent. Personally, he was very much averse to the renewal of such a course, because while it was in operation the House was never made fully acquainted with the expense of particular works, inasmuch as the site was supposed to be obtained from the Crown property without any cost. In many cases, too, an actual loss resulted to the public, because sites were selected simply because they could be obtained without any sum being voted by the House. It should also be remembered that this state of things existed when a very liberal view was taken of what constituted public purposes, and in many cases grants of land were made to persons from whom payment might fairly have been expected. He wished, therefore, to ask the House whether there were any grounds for the inquiry demanded by the hon. Gentleman, either jointly with the Office of Works or separately, into the Department of Woods. He would remind the House that there had already been several inquiries into the administration of those Offices. A Committee sat for two Sessions in 1832, and another for a similar period in 1848; and though the latter body made no Report, it was generally understood that the opinion of the Members was in favour of the separation of the two Offices, and Government afterwards brought in a Bill for the purpose of carrying this understanding into effect. In 1855 there was another Committee, which inquired into the management of the Woods and Forests; in addition to which inquiries into the organization of the Department had been instituted by the Treasury, and the general result of those inquiries had been favourable to the Department. The object of the inquiry which the hon. Gentleman had asked for was to ascertain whether the Department of Woods performed its duties in a satisfactory manner. He (Mr. Peel) said that it did; and in proof of that assertion, he would show that a great increase had taken place in the gross revenue of the Crown lands, and in the amount which it annually passed into the Exchequer to the credit of the Consolidated Fund. In the year 1850, before the separation, the annual revenue from lands was £296,000, and from forests nearly £45,000, making a total of £341,000. In the year ended the 31st of March last the gross revenue from lands had increased to £383,000, and the revenue from the forests was £42,000; giving a total revenue of £425,766, being an increase of about £84,000 during the thirteen years since the separation. The lands apart from the forests produced in the year 1850 £296,000, while in the present year the sum had reached £383,000, showing an increase of about 35 per cent. He would admit that, independent of good management, the property must have been an improvable one to allow of its increasing 35 per cent in value in the course of thirteen years. It ought, however, in justice to the Department of Woods, to be borne in mind that a large proportion of the income derived from the land was of a fixed and immovable character—at all events, for the present. The Crown had a very large property in London, and the Crown rental in the metropolis alone amounted to £100,000. Those Crown rents were derived from building leases, at present not more than half expired. Of course at the expiration of the leases that property would largely increase in value; but until that time had arrived no improvement could of course be made in the rental. The amount annually received from quit rents in Ireland and feu duties and surplus tithes in Scotland was £80,000 and that again was not an improvable property. So that of the £296,000, which was the income derived from land in the year 1850, £180,000 at least was of a kind in which no immediate improvement had taken place. The hon. Gentleman had pretty correctly stated in what manner the increase of £85,000 had accrued to the Crown from the Crown lands; but far from agreeing with the opinion entertained by the hon. Member, that the careful husbanding of the resources confided to their charge was a matter of reproach to the Office of Woods, he thought that the course which they had adopted entitled them to much credit. It had been the policy of the Department of Woods to give much encouragement of late years to persons desirous of searching for mines. This course had been attended by a profitable result, for in 1850 the Crown mines produced £10,000 a year, while at the present time they yielded a revenue of £25,000 per annum. The hon. Gentleman had blamed the Department for cutting down a large quantity of timber which was standing upon the forests, but it must be recollected that the process of disafforestation was sanctioned by Act of Parliament. Three forests had been cleared in this way. Two had been converted into farms, and the other sold, the proceeds being lodged in the funds. £60,000 had been expended in the conversion of these two forests into farms, and with a very small exception the whole of the outlay for improvements had been covered by the felling of timber upon the forests. The result was that while those three forests previous to their disafforestation produced only £5,000 a year, they were now yielding, partly from the farms and partly from the interest on the proceeds which were invested in the funds, an annual revenue of £15,000. The Commissioners annually expended large sums on the improvement of the property; but the public lost nothing by this course, because in every case the tenant was charged with interest, or an addition was made to his rent. Another great source of profit had been the result of the sales and purchases which had been made of late years, and from the enfranchisement of copyholds. The Commissioners had wisely determined to sell all the outlying and detached lands, buying with the proceeds lands which were nearer their more valuable property. Up to the end of last year the total sums for sales of property amounted to £1,150,000, nearly the whole of which sum had been expended in the purchase of other property. The property thus sold was valued at the time of its being sold or let at £15,000 per annum, and the income derived from the invested proceeds of such sales reached £35,000 a year. In that way, and partly owing to the increased rents obtained for Crown property, the annual income had increased to the extent he had stated. The hon. Gentleman had referred to the subject of forests, and had expressed an opinion that the forests should be sold, and the money turned to better account. But he had forgotten over how small a portion of the forests the Crown had absolute rights. Of the 100,000 acres which were comprised in the whole of the Crown forests, only 20,000 acres belonged absolutely to the Crown. The whole of these 20,000 acres which were in any way fit for cultivation were either planted or were let for farming purposes to the best advantage. As to the remaining 80,000 acres, they were subject to rights of common, and the Crown had no power to turn them to profit except in one particular manner sanctioned by an Act of Parliament passed during the first French Revolution, which gave the Crown power, notwithstanding rights of common, to enclose about 30,000 acres of common land, and to plant them with oak trees. The hon. Gentleman complained that the rental derived from the forests was small, and that was no doubt true; but it must be borne in mind that a great part of the annual return of the forests was not represented by money, but by the additional value of the growing crop of timber, which increased every year. These forests were principally of oak, and oak did not arrive at maturity in less than a hundred years. The oak was planted about fifty years ago, and it was consequently only an accruing crop; but the value was increasing every year, and would ultimately be realized. Another point mentioned by the hon. Gentleman was in relation to foreshores; but that subject had been so frequently and so fully discussed in that House, that it was unnecessary now to dwell at any length upon it. He would only remark that the law was clear that the shore was the property of the Crown, subject to the rights of navigation, and although he did not desire to see the Crown rights enforced with any degree of severity, yet he could not understand why Crown property below high-water mark should be differently treated from Crown property situated above high-water mark. There was no reason why Crown rent should be remitted to persons who wished to use the foreshore for their own purposes, and if such remission were made it would really be a grant of public money for the benefit of individuals. With respect to the payments into the Exchequer as compared with the increase in the gross revenue of the Crown property, he admitted that it would not be fair to institute a comparison between the payments made now and those which were made before 1850; because before the separation of the Departments there were various charges upon the gross revenue—such as expenses for the management of parks and the expenses of the establishments in London—which were now met by Parliamentary grants; but including only such expenditure before 1850 as was now paid out of the gross revenue the surplus then did not exceed £250,000. The net sums paid into the Exchequer down to recent periods did not exceed £150,000 a year; but in 1858 the payment into the Exchequer was £280,000, in 1860 £290,000, in 1862 £300,000, and in 1864-5 it would be £310,000. The difference between the gross revenue and the sum paid into the Exchequer represented the expenditure under the Office of Works, and it was right also to add the £28,000 voted by Parliament for the Office of Woods. The hon. Member complained that the expenses of the establishment of the Office of Woods had increased since 1850, but he had left out of consideration certain circumstances which had a material bearing upon that point. In 1851 the Estimate for the Office of Woods was about £20,000, and now it was £28,000. The increase was partly due to an increase of salaries and partly to the larger amount voted for legal disbursements. The increase in the charge for salaries arose from the fact that certain officers, who before 1850 were paid by fees, were now paid by salary. The increased charge for legal disbursements was owing, no doubt, to the activity of the Office of Woods in looking after the rights of the Crown; but it must also be remembered that at least one-half of the amount annually voted by Parliament for legal disbursements was recovered from the parties with whom the litigation took place, and was repaid to the Consolidated Fund as part of the revenue of Crown lands. The real increase on the expense of the Office for Woods had only been about £2,000, which was not more than might have been expected from the increased amount of business which was performed. The difference between the gross revenue of the Crown lands, £425,000, and the net amount paid into the Exchequer, £310,000, this year was £115,000, and that sum represented the outlay of the Department of Woods, not only in the management of the property, but also in the dealing with the forests and parks, including Windsor. It was not quite fair, however, to include Windsor Forest with the other forest lands, because it should be borne in mind that Windsor Park and Forest were devoted to the accommodation of the Sovereign in the same way as the parks of London were devoted to the accommodation of the public. The annual expenditure on Windsor Park and Forest was about £20,000, and the receipts had increased to £8,000; while the annual expenditure on Delamere Forest was £26,000. Those two sums deducted from the total expenditure left a sum of £75,000 to represent the expenditure of that Department of Woods. The amount of fixed charges, for creating which the Office was not responsible, was very considerable. The income tax alone came to £11,000; and there were besides many petty charges attached to the property in former times, and which had come down with it when it came to the Crown. The whole amount of these fixed charges was not less than £25,000 a year. The annual outlay for improvements was considerable—last year it amounted to £31,000. It happened, however, that at the present time very expensive works were in progress. The Committee of 1855 condemned a portion of Delamere Forest as unfit for the growth of timber, and recommended that a certain portion should be converted into farms, the expense to be paid out of the income of Crown lands. In compliance with the recommendation improvements had been going on, and the total amount expended upon the conversion of 15,000 acres was £45,000. This was a considerable sum, but the outlay would ultimately yield a return of from 8 to 10 per cent.

Then a considerable amount had been spent on the Hull citadel and the reclamation of land about it. This was in the possession of the War Department up to a recent period, when it reverted to the Office of Woods, who had taken steps to embank the foreshores, but the result would be that the public would receive about £10,000 from those improvements. All that remained was £16,000 annually expended in the management of the property, paid to the Receiver of Crown Rents, who received 4 per cent, and surveyors who surveyed the lands; but about three-quarters of that would be repaid by the persons who took the lands which were the subject of those surveys. The hon. Gentleman suggested that this expenditure should be transferred from the Consolidated Fund to the annual Votes, and it was true that the Committee on Public Moneys had recommended that course to be taken, provided there were no constitutional objections to it. The whole subject was discussed in that House in 1851, when the Bill passed which separated the two Departments; and after a division the arrangement adopted was to place upon the Estimates merely the expenses of the establishment of Woods, leaving the outlay for improvements and other expenses to be paid out of the revenues of the Crown lands. He doubted very much whether the expenses of the year could be so far anticipated as to allow the property to be administered in the manner suggested by the hon. Gentleman. While the settlement of the Civil List continued as now it was part of the compact that the income arising from the Crown revenues should be paid to the public account, subject to all necessary expenses of improvement and management. The Office of Woods were trustees to this property. The income was payable to the public during the life of the Sovereign, and after his death it went to his successor. The rules under which the property was administered by the Office of Woods were clearly and expressly defined by Act of Parliament. They had been frequently the subject of inquiry in the House; they had passed successfully through the scrutiny of several Commissioners, and he hoped the House would not think it necessary to order the inquiry which the hon. Gentleman had asked for.

After a few words from Mr. AUGUSTUS SMITH in reply,

Question, That a Select Committee be appointed, put, and *negatived.*

Mr. Peel

ROMAN CATHOLIC OATH BILL.

BILL ORDERED. FIRST READING.

Order for Committee read.

Roman Catholic Oath Act—*considered* in Committee.

(In the Committee).

MR. MONSELL, in rising to move that the Chairman be directed to move the House that leave be given to bring in a Bill to substitute an oath for the oath required to be taken and subscribed by the Statute passed in the tenth year of the reign of King George IV., for the relief of His Majesty's Roman Catholic Subjects, said, he was sure that although he could not appeal to any party or political feeling, he would receive the kind indulgence of the House. The question he was about to bring under their notice did not touch the majority of the Members of the House. It affected the honour and disturbed the conscience of but a small minority, and on behalf of that minority he confidently appealed to the justice and good feeling of the House—the time for bringing it forward was an opportune one. It was perhaps natural that immediately after the passing of the Emancipation Act Members should group themselves under theological banners. This had passed away, and he believed that hon. Members now took their seats on this or that side of the House according to political not theological views. Another point which had been frequently alluded to in former debates was the idea that some compact was made between the Roman Catholics and the Duke of Wellington at the time of the proposing the Emancipation Bill. That idea, however, had been dissipated by the statement of the more competent authority on the subject—namely, Earl Russell—who distinctly informed the House that there was no communication at all between the Roman Catholics and the Government upon the introduction of the Emancipation Bill. He had been urged by many persons, both in and out of the House, to extend the scope of his Motion, and instead of dealing simply with the Roman Catholic oath, to substitute for all oaths now taken a simple oath of allegiance to be taken by all Members entering that House. ["Hear!"] He entirely agreed with the feeling which that cheer indicated. He would desire that all Members of that House should have simply an oath of allegiance to take; but he would state the reason why he did not think it expedient or desirable that he should be the person to make such a proposal. It was obvious that one oath still imposed on certain great public officers ought to be got rid of. He could conceive no scene more degrading than that which took place the other day in the Castle at Dublin, and he knew for a fact that Lord Wodehouse felt it as strongly as man could do. Lord Wodehouse stood with the Catholic Law Officers by his side, with Catholic Privy Councillors around him, and had to take an oath declaring the Roman Catholic religion to be damnable and idolatrous. He would for a single instant allude to the oath which touched a majority of the Members of that House, the oath taken by Members not belonging to the Roman Catholic religion. Every Protestant Member when he came to the table had to swear that "no foreign prince, prelate, or potentate hath, or ought to have, any spiritual jurisdiction within this realm;" and in speaking of this oath Lord Plunket said—

> "My idea of the oath of supremacy is, I confess, that in the strict and literal interpretation of the words it is impossible to be taken by any one, for it not only denies that any foreign Power ought to have ecclesiastical or spiritual authority within this realm, but it denies even that any foreign Power has such authority. Now, if we admit that there are Roman Catholics in the country the Pope must have spiritual power here."

And he went on to say that its meaning was that no foreign Power had authority over the Established Church. This was the interpretation put upon the oath by so eminent a man. But he recollected that Lord Chelmsford (then Sir Frederic Thesiger) gave another interpretation—that it meant that no foreign Power had any authority here that could be enforced by law. But when we found two such eminent men, both Lord Chancellors, differing in opinion as to the interpretation of an oath, it was quite time that the oath was abolished. At the same time, it would be presumptuous for him to deal with anything more than the very limited subject to which his Motion referred. He should leave it to those to whom those two oaths applied to deal with them. He only proposed to deal with the Roman Catholic oath, and he sincerely trusted that the result of the inquiry he suggested might lead to a modification of the other oaths. Hon. Members were perhaps aware that one of the securities discussed by the Duke of Wellington and Sir Robert Peel at the time of the Catholic emancipation was to limit the number of Roman Catholic Members in that House. The force of circumstances had limited them even lower than the number—he believed forty—which at that time was suggested. He might appeal to the House whether so small a number of Roman Catholic Members was likely to do any injury to the Protestant institutions of the country, even if they were so disposed. He preferred to rest his case on other grounds. He would ask what had been the mainspring of all the beneficial alterations which had been made in the laws of this country during the last thirty-five years? Was it not the confidence we reposed in each other? Commencing with the repeal of the Test and Corporation Acts, and coming down to the emancipation of the Jews, had it not been through the confidence which they had been led to repose in one another—had it not been that principle which had led them to admit to the representation so many who were before excluded? All he asked of the House on the present occasion was to carry out that principle, and to have sufficient confidence in the small Roman Catholic minority to believe that they had no desire to injure the institutions of the country, but only to act in harmony with the other Members of the House in those questions in which they were all engaged. The shortest way of discussing the question was to lay down three simple principles on which he thought the oath now taken by Roman Catholic Members was objectionable, in which he thought the great majority of Members would agree. He did not suppose there were more than two hon. Members who would not desire that there should be only one mode of admission to an assembly in which all Members occupied the same position and had the same duties to discharge. Nothing could be more monstrous than that there should be a symbol of division presented to Gentlemen as they went up to the table of that House after an election, and that the House should thus divide itself, not into political but into religious and theological parties. On that ground the Roman Catholic oath was objectionable. Again, he apprehended there would be no difference of opinion that an unnecessary oath was an absolutely immoral thing. We were not justified in imposing upon any one an oath, unless we considered that there was some predominant reason which compelled us to do so. One mischievous effect of multiplying oaths was that it diminished the value of oaths in the public mind, and, therefore, such a proceeding had an absolutely injurious and immoral effect. On this point he would read the opinion of one of the most distinguished predecessors of the Speaker, Mr. Speaker Onslow, who stated at the time of the disputed succession, when the toast of Oxford was—

> "God bless the King, the Faith's Defender!
> God bless—no harm in blessing—the Pretender!
> But who Pretender is, and who is King,
> God bless my soul! that's quite another thing!"

—well at that period, when if at any, oaths might be considered likely to be useful, Mr. Speaker Onslow made use of these words—

> "I cannot help observing of what little use to a Government the imposition of oaths has ever been. A Government is never secure of the hearts of the people but from the justice of it, and the justice of it is generally a real security. . . . When men habituate themselves to swear what they do not understand, they will easily be brought to forswear themselves in what they do understand. The like danger is from the frequency of them, which always takes off from the awe of them and consequently their force. In my opinion no oaths should be appointed but in judicial matters."

His third point, one on which he thought the House would also unanimously concur, was that it was an absolutely immoral act to present to anyone an oath which was not precise in its terms—an equivocal oath, one about the meaning of which there could be any difference of opinion. On that point he would refer to a statement made by his right hon. Friend the Chancellor of the Exchequer four or five years ago. Speaking on March 22nd, 1858, the right hon. Gentleman observed—

> "What he wished the House to bear in mind was this—that if there were these difficulties in the construction of an oath, which were held to be of great constitutional importance, that of itself was a clear proof that the matter required the attention of the House; for it was not a subject which ought to be left to A, B, and C to construe for themselves. There ought to be a legislative construction put upon an oath."—[3 *Hansard*, cxlix. 484.]

According to that most reasonable statement if he (Mr. Monsell) succeeded in showing the House that the Roman Catholic oath was an equivocal one—one about the construction and meaning of which there was legitimately and necessarily a great difference of opinion, they were bound either to repeal it or to make some alteration in it which would render it clear and unequivocal. But, before addressing himself to that point, he would call the attention of the House to the passage in the oath—

> "I do further declare that it is not an article of my faith, and that I do renounce, reject, and abjure the opinion that princes excommunicate or deprived by the Pope or any other authority of the See of Rome may be deposed or murdered by their subjects or by any person whatsoever."

That passage about abjuring the belief that princes might be murdered had been removed from the Protestant oath; and there could be no good reason for continuing to make Catholics swear to it, for if they were murderers no oath would be likely to bind them. Then came this passage in the oath—

> "I do swear that I will defend to the utmost of my power the settlement of property within this realm as established by the laws."

Those words referred to an Act passed in the beginning of the reign of Charles II., for the purpose of establishing the arrangement made immediately after the Cromwellian Rebellion. As he believed that most of the Catholic nobility and gentry held their properties under that settlement, it was very unnecessary to make them swear to defend it. He now came to the more important part of the oath—that respecting the construction of which gentlemen of great influence took different views—

> "I do hereby disclaim, disavow, and solemnly abjure any intention to subvert the present Church Establishment as settled by law within this realm; and I do solemnly swear that I never will exercise any privilege to which I am, or may become, entitled to disturb or weaken the Protestant religion or Protestant Government in the United Kingdom. I do solemnly, in the presence of God, profess, testify, and declare that I do make this declaration and every part thereof in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatsoever."

There were three different opinions held as to the obligation imposed on Catholic Members by that part of the oath. The late Duke of Norfolk acted on the belief that it prevented him from interfering with Church property. As against that opinion, he would quote one given by a Protestant statesman. Lord Althorp, speaking in 1833, was reported to have—

> "Reminded the House that in the progress of the Catholic Relief Bill a clause had been proposed to prevent the interference of Catholic Members in any matters relating purely to the Church, and the House had rejected it; and as that was the case he thought that Catholic Members had as much right as Protestants to take part in the discussion of any matter that came before the House as Protestants."—[3 *Hansard*, xvi. 1353.]

It was the intention of the House which passed the Relief Bill that Roman Catholics should possess the same rights in every respect as Protestant Members. The third view was that taken by Mr. Justice Shee and others. They believed that the words he had read were intended to prevent Catholics from overthrowing the Establishment, but not from reducing it to proper limits. For instance, if in the War Department you found 500 clerks who only wrote three letters a day, you would not be subverting the War Office if you cut down the staff of clerks by 400, keeping only a sufficient number to do the work. He thought there could be no doubt that an oath must be interpreted according to the sense in which it was understood by those who imposed it. Now, what was the sense of the people of England in which the Roman Catholic oath was imposed at the time the Emancipation Act passed? There could be no doubt that they regarded it as a security for the Established Church. He recollected that the Duke of Wellington, in 1840, in replying to some observations of the Earl of Shrewsbury in the other House, took that view of the oath; but, on the other hand, Sir Robert Peel stated that the oath in question was taken from two oaths enacted by the Irish Parliament in 1779 and 1793. What was the state of Ireland at that time? The belief of the Protestants was that if the Catholics obtained power in any way they would exert it to overthrow, by force of arms, the Establishment. The Catholics were kept down completely at that period; they were not permitted to buy land nor to keep a horse of a greater value than £5, and the object of the oaths was to prevent them rising by force of arms and leading the people to subvert the established state of things. Was it not clear that the fear was that violent and not constitutional and legal means would be used to overthrow the Establishment? When Sir Wilmot Horton proposed that Catholics should not be allowed to interfere with the property of the Church Sir Robert Peel rejected the Motion, and said that Catholics were to have every power and privilege which Protestants had. Taking these authoritative statements of Sir Robert Peel, it did not seem a forced interpretation to apply the same rule which Protestants applied when they considered the word "legally" or rightfully as understood in the oath they themselves take. It must be recollected that the Catholic oath was not imposed on Members only, but on students at Maynooth, and on Catholic mayors and magistrates and on councilmen. Did not hon. Members feel that there was really some difficulty in the question? Was it justifiable to force an equivocal and doubtful oath upon any man's conscience? He thought it was a positive crime to permit the oath to remain in force. A very remarkable statement had been made within the last few days by the Dean of St. Paul's, in which he said—

> "I confess that to me all this is a very dangerous, a very objectionable, I will freely say, a very immoral trial of the conscience; a perpetual temptation to tamper with its sensitive jealousy of itself — a temptation to gulp down all without thought or without inquiry, or to act under the paralyzing torture of doubt."

Those words were spoken in reference to a different subject, but were singularly applicable to the present question. There was one other point to which he would draw attention. This was an oath imposed solely upon the Roman Catholic Members of the House. Let him suppose his hon. Friends the Members for Birmingham (Mr. Bright) and Sheffield (Mr. Roebuck) were walking up to the table after the general election along with himself. In their opinion the whole system of the Establishment was absolutely vicious, and they thought it ought to be got rid of root and branch. It was the unclean thing placed on the altar. He, on the contrary, had no such belief. He did not want to attack the Church Establishment in England, and, as long as the English people were anxious for its maintenance, far be it from him to attempt to touch a stone of it, as he believed it to be a great bulwark against rationalism and infidelity. Yet he was compelled to take this oath, while Gentlemen who would, if permitted, turn Westminster Abbey into a conventicle were not required to take it. Now, was not that a monstrous injustice and anomaly? He could only sincerely and heartily thank the House for the interest they had shown in a matter which, after all, only concerned a small minority of their Members, and he trusted they would join him in an endeavour to get rid of the grievance of which he complained, which was, after all, only a relic of a bygone day. The oaths had been framed, with other severe measures, for the purpose of forcing a sort of fictitious uniformity in a Christian country, and as men's minds grew softer, the penal statutes were got rid of, while the oaths were preserved. The only foundation upon which any institution ought to rest was that of confidence for confidence. When the people believed that the House of Commons was sincerely desirous of adopting that principle, they would join them in the maintenance of our Constitution, and in the support of our Sovereign. Let hon. Members go up to the table of the House without any such invidious distinction as was implied by the terms of the existing oath; let them all be in a position to join heartily in the prayer that the dignity and honour of the country might be maintained by their united efforts, and that they might never allow theological differences to separate them in the discharge of those duties which devolved upon them as Members of that Legislature. The right hon. Member concluded by moving the Resolution.

SIR GEORGE GREY: The only observation I feel called upon to make at present is to say on the part of Her Majesty's Government that we give a ready assent to the Motion which has been made by the right hon. Member for Limerick, so far as regards the preliminary step for bringing in a Bill for the purpose he has in view. I think it is impossible to deny that the subject is one which is entitled to consideration. I agree with him that oaths and declarations, which are unnecessary, of doubtful interpretation, or needlessly offensive to those to whom they are tendered—not because they cannot conscientiously make the declaration, but because it imputes to them opinions which they repudiate are objectionable. How far this objection applies to the oath taken by the Roman Catholic Members of this House, we shall have an opportunity of considering on the second reading of the Bill. I believe that no objection will be made by any hon. Member to the introduction of the Bill, and therefore I think that it will be better to postpone any discussion upon this subject until the second reading, and I hope we shall approach the discussion then, with a desire, while parting with no real security for the maintenance of the Protestant religion, to do justice to every reasonable claim made by our Roman Catholic fellow subjects.

MR. NEWDEGATE: I confess I do not think the present a favourable period for taking into consideration such questions as those involved in the Motion of the right hon. Member for Limerick. The whole of Europe—and I do not see how England can ignore these proceedings on the Continent—has just been alarmed at the issue of a document termed the Encyclical Letter of the Pope. This document is of so important a character that it has occupied the attention of the French Legislature for a considerable time, and the compliance of certain Roman Catholic bishops in France with the terms of that document has compelled the French Government to interfere. No one would suppose that the French Emperor would lightly set himself against the feelings of a certain number of the clergy of France, who claim what they affirm to be the liberty of obeying the Pope within the dominions of the Empire. I advert to this subject the more strongly because I think it is unwise in the Legislature of England at this moment to lend any countenance to this Papal aggression, when the Legislatures of France and other Roman Catholic countries find it necessary to resist it in the interests of social and political order and the peace and happiness of society. I am sorry that the right hon. Gentleman the Home Secretary has on this occasion manifested that same leaning towards Ultramontane doctrines that we have witnessed in him before. I think that, under the existing circumstances, the restrictions imposed in the oath taken by Roman Catholic Members at this moment are really a protection to Roman Catholics. If the Government of this country will not resist these encroachments of the Papacy, in support of the resistance offered by the Roman Catholic Governments of France, Spain, and other countries, whence is resistance to these aggressions to be expected? I think England ought to be mindful of her duty. Hitherto she has maintained the great cause of civil and religious liberty against the encroachments of that Power which, although now limited as to its immediate sphere of action as a temporal Government, was, perhaps, never more active than at the present moment in opposing the great principles of civil and religious freedom throughout the world. Perhaps the House will allow me just to read a description by a very eloquent author in France of the character of the Encyclical Letter, because it will illustrate my opinion of the proceeding which the House is invited to take. This is the description by a Roman Catholic of the document which the Papacy is attempting to impose upon every Roman Catholic conscience—

> "According to the Encyclical there is no truly Christian society except where the subjects obey their princes without discussion, and the princes in like manner obey the Pope, and the Pope alone, as God; where the crime of heresy is persecuted and punished with the whole rigour of the law. Therefore, in such a society the religious theocratic power exists alone, for princes will not know how to deal with the affairs of the Church without

offending God, while the Pope will be at liberty to intervene in the affairs of Catholic States."

The writer further says—

> "Freedom of conscience, freedom of worship, freedom of opinion, the independence of the civil power in contradistinction to the religious, the ecclesiastical, or spiritual, are all described as detestable errors. The theory (system) which is hence adduced is this:—The people at the mercy of their princes; the princes under the authority of the Pope; the Pope having all liberty of intervention in the affairs of the temporal power; princes and Governments cannot in any sense claim of right to deal with religious, spiritual, or ecclesiastical affairs; the Roman Catholic religion alone in possession of the right of public worship; the Roman Catholic Church having the right to inflict corporal punishment upon those who violate her laws; the offence of heresy, which has been obliterated from all the modern codes, is continued, and is to entail punishment, just as in the worst days of the Middle Ages."

Now, Sir, this document issued from the Vatican may excite a smile upon the part of those who do not acknowledge the power of the Pope as the head of the religion which they adopt; but I cite the action of the Emperor of the French, who has forbidden the publication of this document, and I cite even the action of the Government of Spain, to show that Roman Catholic countries at this moment find it necessary to impose restrictions far more stringent than the restrictions in the oath which you are now asked virtually to abrogate. If it be the opinion of this House that this meddling with a grave matter should be permitted, I feel it would be idle for me to resist; but I feel it my duty not only to the Protestant constituency which I represent, but to my Roman Catholic fellow-countrymen, to deprecate the course now about to be taken by the Government of the country and this House, which is not in accordance with the action adopted by France, Spain, and other Roman Catholic Governments in Europe. The object of the restrictions in the oath proposed to be abrogated is to prevent the disturbance of the constitution and settlement of property in this country. When the right hon. Gentleman (Mr. Monsell) adverts to the circumstances at the close of last century as being a period of Roman Catholic rebellion in Ireland, assuredly his argument tells against himself, because it was in order to obviate the possibility of questions being raised in this country which might excite similar disturbances that these restrictions were imposed. It is against that very danger that the Government of France is acting. The Emperor has declared that it is in the cause of civil and social order that he forbids the reading of the document issued by the Pope. M. Rouher, in the French Senate, called attention to this subject in a celebrated speech. He complained, as a Roman Catholic, that this edict issued from the Vatican is aimed at the remaining liberties of the Roman Catholic Church in France, no less than against that civil and social order which it is the duty of the ruler of France to maintain, and which the present ruler has maintained to the admiration of the world. I do deprecate that the representative body of a nation in close alliance with the French nation—of a nation which respects and admires the Emperor of the French for the manner in which he has adapted himself to the government of a noble but excitable people, should take this action, which appears to me to cast a slur upon the course which the Emperor has found it necessary to adopt in order to secure social and religious order within his own dominions. I deprecate this movement for another reason. We, as members of the Church of England—as Protestants—ought not to do anything that shall embarrass the Roman Catholics of France in re-asserting those national liberties and privileges of their Church in France which were termed the Gallican liberties of that church, and for centuries constituted the pride and blessing of that great establishment. As a member of the Church of England, not less as a representative of a large constituency, I deprecate this movement. I deprecate the conduct of the Government in thus lending at this moment their aid to the disturbance in this country of questions which are agitating the whole continent of Europe—the disturbance of questions, which every lover of peace, of order, and of religion wishes should remain permanently settled in the interests of humanity and civilization.

Mr. WHALLEY said, he did not intend to reply to the arguments of the right hon. Gentleman (Mr. Monsell), but merely to point out to the Government that the proposal involved a constitutional change in the organization of the House—a change in an arrangement which was the subject of great deliberation when it was agreed upon. When, therefore, the Home Secretary invited calm discussion for the question, he begged leave to make this observation, that he, for one, would not discuss it; he should vote against it; and he would charge the Government, whenever an opportunity should occur, with having disregarded their duty. If a change of this kind was to be made, it ought to be made by the Government and upon their responsibility. It was not sufficient for the right hon. Gentleman to say that the matter would form the subject of discussion in the House. That was not the way to uphold the principles of the Constitution, or to maintain an arrangement made within the memory of living men, which was the result of the deliberate contract by which Roman Catholic gentlemen obtained seats in that House.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill to substitute an oath for the oath required to be taken and subscribed by the statute passed in the tenth year of the reign of King George the Fourth, for the Relief of His Majesty's Roman Catholic Subjects.

House *resumed.*

Resolution *reported.*

Bill *ordered* to be brought in by Mr. MONSELL, Lord JOHN BROWNE, Sir COLMAN O'LOGHLEN, and Mr. HENNESSY.

Bill *presented,* and read 1°. [Bill 86.]

FIRE INSURANCE.—RESOLUTION.

MR. H. B. SHERIDAN rose to move the Resolution of which he had given notice—

> "That in the opinion of this House it is expedient that the reduction of Fire Insurance duty made in the last Session be extended at the earliest opportunity to houses, household goods, and all descriptions of insurable property."

There was nothing new in the terms or scope of this Resolution beyond what the House had already adopted. It was only a sort of refresher to the Government, to remind them that the reduction of duty made last Session was not exactly a compliance with the wishes of the House as expressed in the Resolution which it had agreed to—which was to the effect that the reduction should extend to all descriptions of property. So far as the merits of the question were concerned, he might say that they were settled by the Resolution of the House, and he need not, therefore, go into the already fully expounded history of this oppressive duty. To do so would be quite unnecessary, as the subject had been fully exhausted, and the House had, with full information, arrived at the conclusion, and declared it, that the duty upon Fire Insurance was excessive in amount; that it prevented insurances, and that it should be reduced at the earliest opportunity. The question now before them was two-fold:—first, whether the Resolution of the House aimed at a general reduction on all classes of Fire Insurances, or only had regard to a particlar sort of insurance; and second, whether the Government in the reduction it made last Session had given effect to the real aim of the Resolution. Now, there could be no doubt at all that the Resolution passed aimed at the reduction of all insurances, and not one particular class of insurances only. That was the clearly expressed will and wish of the House in the early discussions, and in accordance therewith he had modified the proposals of the Bill he first brought in on the subject. He did not push his Bill, for he considered it more respectful to leave it in the hands of the Government; but the Government did not move in the matter, and then, acting upon judicious advice, he dropped the method of proceeding by Bill and proposed his Resolution. That Resolution having been adopted by the House, and with the sense he attributed to it, last year the Government, having a surplus, undertook to give effect to the Resolution. But it took the wrong course, and proposed a reduction on one special item only of insurable goods. Now, all he asked was that the House should remedy the oversight of the Government, by drawing its attention again to the fact that the interpretation it placed upon the Resolution of that House was not a correct construction of the wishes of that House, and desiring it to extend the reduction to all descriptions of insurable property. That was the sole object of the Resolution which he had now proposed. The only other question was for the right hon. Gentleman the Chancellor of the Exchequer. If he felt that the condition of the Exchequer would enable him to give effect to this Resolution, he would be not only giving effect to the wishes of the House, but would earn the gratitude of the country; and if he could make it a reduction throughout and uniform to 1*s.* per cent, he would be not only earning the lasting gratitude of the country, but would be taking such a course as to enable him to replace in the Exchequer the amount which it would temporarily lose by the reduction. If the right hon. Gentleman had not the means, then the Resolution he now proposed would serve as a standing instruction to the Government that its first duty would be to reduce the Fire Insurance duty when it should have the means in hand ; and that was, indeed, the interpretation put by the right hon. Gentleman upon the Resolution already agreed to when it was under discussion in the House. He (Mr. H. B. Sheridan) could not for a moment suppose that the Government if it had the necessary means would refuse to give effect to that Resolution, for it had always acknowledged the binding nature of these resolves of the House ; otherwise it would simply be ridiculous for hon. Members to occupy themselves for years with particular questions if, when the House came to definite Resolutions on them, their Resolutions were left to remain without life and inoperative by the Members of the Government charged to give effect to them. He would not trespass longer on the House, except to say that if the right hon. Gentleman had any doubt as to what the wishes of the House and the country were, he had only to consult the petitions presented during the present Session on this subject, and principally one from the City of London itself, calling upon the House not to wait for the Budget, but to give its sanction at once to the Resolution which he now introduced. The hon. Member concluded by moving the Resolution.

Motion made, and Question proposed,

"That, in the opinion of this House, it is expedient that the reduction of Fire Insurance Duty, made in the last Session, be extended, at the earliest opportunity, to houses, household goods, and all descriptions of insurable property."—(*Mr. Henry B. Sheridan.*)

THE CHANCELLOR OF THE EXCHEQUER: Sir, I rise to move the Previous Question—Without entering into what may be called the merits of the Question, I shall address the few remarks I have to make simply to the Question as to the time at which the hon. Member proposes his Resolution ; and I feel bound to say, that the period which he has chosen for his Motion is inopportune. On no occasion that I have known has it ever been considered by the Government compatible with their duty to accede at a period immediately preceding the financial statement of the year to any Resolution of this House binding their hands by anticipation in regard to the proposals they may have to make in respect to the reduction of taxation. The hon. Gentleman has said that some right hon. Gentleman, whom he has not named, found fault with his infantile simplicity for introducing a Bill to effect the reduction of this duty, and told him that if he only proposed a Resolution of this House, that Resolution, if carried, would be potent and effective. For my part, I venture to say, with respect to Resolutions of the House, that in my opinion they are binding, as far as regards the Government, variably according to their subject-matter. I have never concealed my strong opinion that a Resolution of this House, unless relating to a matter of grievance or recommending the reduction of a burden oppressive to the community, does not demand great consideration from the Government ; but Resolutions relating to the repeal or reduction of the burdens of the people, though they may not be in precise accordance with the views of the Government, yet do demand the most respectful consideration at their hands, and ought at all times to be a material element in deciding on their financial proposals. I am bound to say, however, that the sanguine mind of the hon. Gentleman considerably overstates the real potency and effectiveness of Resolutions. Has he forgotten that Resolution, by far the most famous, for the repeal of the paper duty. Though hon. Gentlemen who sit on these benches were inclined to attach weight to that Resolution, yet, when in 1861, the Government proposed its repeal, very large minorities, which were almost majorities, made other proposals which they desired to substitute for the repeal of the paper duty. With regard to Motions made in anticipation of the Budget, I am not aware of any single instance in which public good or advantage has resulted from them. A Motion of that sort has an abvious tendency to excite expectations which, if they are fulfilled, would also have been fulfilled a few weeks later independently of the Motion ; so that nothing material is gained by it, and if they cannot be fulfilled, much mischief is done by the excitement of vain hopes. But this is not the only or material objection to Resolutions of this kind, picking out a single matter of taxation when other matters of taxation are not before the House. These Resolutions are entirely contrary to the principle of our arrangements, which require that annually the entire financial condition of the country should be placed before the House, so that the House, with that financial condition before it, might make a selection as it thinks fit between the different interests of the country claiming relief. Such a Motion is not less hostile, I am bound to say, to the principle which assigns the initiative in these matters to the Government. You give that initiative to the Government, I apprehend, because you think it is for the public interest that they should have it; and I humbly submit to the hon. Gentleman and the House that it is most important that the dividing lines between the essential jurisdiction of the House and the permissive jurisdiction—for such, I grant, it may be deemed—vested in the Government on these questions should be preserved. For look at the injustice of this proposal, to select a particular tax among the various claimants for remission. Only the other night we objected to make any declaration with respect to the Malt-tax on this very ground; we would not let fall from us a single syllable as to the claims which that tax may present for consideration at any given period. And I am bound to maintain an equal restraint and an equal silence on this occasion. But surely it is most unfair to the House, which has rejected one great demand, powerfully supported—and certainly I cannot say that the whole of those who joined in rejecting it rejected it deliberately on the merits; possibly some of them would have been its promoters on the merits—surely it is most unfair to them that a demand like this should now be pressed by those who have another favourite tax to put forward for remission. The hon. Gentleman says, and says with truth, that the House has agreed to Votes in favour of the remission of the duty on Fire Insurance. But it has also come to a vote for remission of the Malt Tax, and has afterwards been called upon to rescind it. I ask the House to consider the position in which any Administration must be put by the passing of a Resolution of this kind. It is absolutely contrary to the duty of the Government to come to any irrevocable decision as to the repeal or reduction of any tax involving an important branch of revenue until we know within certain limits that our revenue and charge will be balanced. Therefore, if the House were to select this inopportune moment for declaring its views with regard to the duty on Fire Insurance, it would place the Government in a predicament of what I may call compulsory disrespect towards the House. It would still remain just as much the duty of the Government as ever to observe such an absolute silence and maintain such an entire freedom with respect to their intentions, as the general interests of the country may demand. At the same time it would not be desirable, for the sake of the public service, that they should seem to show any indifference or inattention to the expressed wishes of the House. But if such an apparent conflict, such an apparent tardiness in responding to the wishes of the House in matters of taxation would be highly inexpedient as regards the Government, I am bound to say that it would likewise be disparaging to the dignity and authority of this House. But these, I admit, are all objections of a general character, and I own that there might be some colour for the Motion of the hon. Gentleman if he could show that he had reason to entertain some special mistrust—to presume some foregone conclusion—in the mind of the Government, that under no circumstances were they disposed to give to the subject of the Fire Insurance duty that sort of consideration which, upon its merits, and, I grant also, upon its history, it may demand. The hon. Member devoted a great part of his speech to proving two propositions—the one that the wish of the House and the country apparently has been for an uniform dealing with this duty; and the other, that the last reduction of it was not altogether a compliance with the desires of the House. But, Sir, I agree with him in both of those propositions. He says the last reduction was not altogether a compliance with the wishes of the House. Who ever said it was? Her Majesty's Government did not propose it in these terms. It is an odious thing for a man to quote from himself, but, still, as what I said in these matters was spoken by me as a Member of the Government, I venture to cite a short passage from the financial statement which it devolved on me to make last year. The words then used were—

"The surplus, which began with £2,570,000, is now brought down to no more than £430,000. And here it would have been the wish of the Government to stop. There is, however, still another subject demanding our attention. In consequence of the formal intimation given by the vote of the House, we have deemed it our duty, limited as are our means, to consider whether we could submit a measure which, whatever else it might do, would do good as far as it went, and which would indicate at least our desire to meet with deference and respect the convictions entertained by the House of Commons, even although we did not entirely and absolutely share them, if it could be done without a vital sacrifice of the public interests. I refer to the duty on Fire Insurances."—[3 *Hansard*, clxxiv. 590.]

Therefore, my answer to the hon. Gentleman on that point is that his argument was unnecessary, because we were perfectly aware, independent of the proof he has given of it to-night, that the wishes of the House—the present state of the law continuing—cannot be and do not remain entirely fulfilled. One word more. The hon. Member says that the former decisions were verdicts. Why, then, does he want another? But I object to his Motion out of his own mouth. This is a Motion not merely indicating a reduction of the duty on Fire Insurance, but indicating the particular form, manner, and degree in which it should be reduced. Why is the House of Commons on the 21st of March—the financial year coming to its close ten days hence—now to indicate the degree in which the Fire Insurance duty is to be reduced? But the hon. Member himself supplies me with this answer. He proposes a Motion, and though in the same breath he says he knows of a better Motion, he yet asks the House to agree to the first one. He proposes a Motion, the effect of which is a reduction of the duty to a uniform standard of 1*s*. 6*d*.; and in his own speech he tells you that one of 1*s*. would be better. Can there be a more lively illustration of the inconvenience of dealing with these questions before their proper time? ["No, no!"] Hon. Gentlemen say, "No!" Have they read the Motion? It states that it is expedient that the reduction in this duty made last Session—that is to say to 1*s*. 6*d*.—should be extended to all descriptions of property. But that is not stating that it is desirable to reduce it uniformly to 1*s*. The hon. Member's speech and his Motion are in conflict the one with the other; for while on the one hand he calls upon the House to vote that the reduction of 1*s*. 6*d*. shall be made uniform, he declares in his speech—and with greater reason—that a general reduction to 1*s*. would be a great deal more satisfactory. ["Hear, hear!"] Well, but if you think that, you ought to join with me in voting against this Resolution, which binds you to a reduction to 1*s*. 6*d*. ["No, no!"] The petitioners on the subject of this duty have never indicated what in their opinion is the amount of duty which it is desirable to levy. ["Yes!"] As compared with 3*s*., or 2*s*. 6*d*., or 2*s*., or even 1*s*. 6*d*., they may, I grant you, have done so; but I am not aware that the petitioners in favour of the reduction of this duty have ever stated that if they had the whole matter in their hands they would fix it at 1*s*. 6*d*., or have ever treated it otherwise than as a fair subject for a compromise. Why, then, should the House not reserve to itself the discretion of dealing with the question at large when the proper time comes, and when it may be able to form some estimate of the means at command for purposes of remission? Why is it to depart from the just and wise usages which regulate the functions of the Government and the House in regard to taxation, when it recollects the fair admissions which I have made in respect of the history of this duty and the view we take as to the just authority of the House in these questions? I venture to say the hon. Member would see that he has really nothing to gain—perhaps less than nothing—by asking the House for a decision at this moment. He leaves us no choice or discretion whatever. It would be an absolute abandonment of our duty for us to accede to this Resolution. If we acceded to it how could we decline to accede to other Resolutions that would come forward, not perhaps at this time, but at another moment, in regard to other duties having excellent claims to remission? We desire, Sir, to pay due respect to this House; and for these reasons I beg to move the Previous Question.

MR. CRAWFORD, who rose amid loud cries of "Divide!" said, that he had on a previous occasion supported the hon. Gentleman who had made this Motion, but he was unable to vote with him that evening. He was about to take what he knew to be an unpopular course with those whom he had the honour to represent, but he thought the present Motion was inopportune, and that it would be inexpedient to fetter themselves and the Ministry by an abstract Resolution.

MR. HUBBARD wished to know whether this country was to be governed entirely by the Administration, or in part by the House of Commons—because, if the House of Commons were to have any voice in the Government, it surely had a right to express an opinion at some time on such a subject as the present. If the House declared its opinion in regard to the remission of a particular tax before the Budget, it was told it was premature; if after the Budget, it was told it was too late, that everything was settled, and that the Resolution should have been proposed long ago. This was his answer to the advice given to the House by the hon. Member for the City of London. Last year he (Mr. Hubbard) requested the hon. Member for Dudley not to press his Motion, but to leave the matter in the hands of the Chancellor of the Exchequer. Remembering, however, the way in which the right hon. Gentleman had failed to carry out the wishes and instructions of the House in his Budget last year, he should vote with the hon. Member for Dudley, and should strongly recommend him to press his Motion to a division.

Mr. JACKSON, who also rose amid loud calls of "Divide!" said, he did not often trouble the House, but he wished to be allowed to join in the appeal made to the hon. Member for Dudley by the hon. Member for the City (Mr. Crawford) not to divide the House. He was a supporter of the principle of the measure, but having heard the acknowledgment by the Chancellor of the Exchequer of the power of that House in such matters he thought the matter might safely be left in his hands. He had no doubt the right hon. Gentleman, after what he had said, would meet the wishes of the House as far as his means would go.

Mr. MALINS trusted that the hon. Member for Dudley (Mr. Sheridan) would not be led off on the false scent just thrown out, but would divide the House. The idea of leaving the matter to the Chancellor of the Exchequer was a mere delusion. The reduction of the duties on Fire Insurance was not a favourite measure with the right hon. Gentleman. It was a tax for which no man would say a word, for it was a tax of 200 per cent on prudence and forethought. If hon. Members at the time when the Budget was proposed made a suggestion of this kind, the right hon. Gentleman told the House that he could not have his plans disturbed. Whether they brought the matter forward before the Budget, after the Budget, or at the time of the Budget, they were always wrong. What, then, was the duty of Parliament? Clearly to put its finger on such a tax, and express an opinion for the guidance of the Government. The Resolution of the House was not without its influence upon the right hon. Gentleman last year, and if the House affirmed the Resolution now before it the Chancellor of the Exchequer would find it impossible to resist such an expression of opinion. He verily believed the right hon. Gentleman intended to propose the reduction of the duty, and that was the interpretation he put upon his moving the Previous Question.

Sir ROBERT CLIFTON hoped his hon. Friend would divide the House. When the Chancellor of the Exchequer proposed to reduce the wine duty he said that the reduction would be an advantage to the public. He added that he believed that the Exchequer would soon be replenished. Why should not the same argument be true in this case, when it was stated that there was £800,000,000 of insurable property within a few miles round London, of which 80 per cent was uninsured mainly because there was a tax of 200 per cent upon insurance.

Mr. H. B. SHERIDAN said, that the Chancellor of the Exchequer had charged him with inconsistency in moving a Resolution to reduce the duty to 1*s.* 6*d.*, when he was really in favour of a duty of 1*s.*; but all he meant to say was, that he had always advocated the reduction to 1*s.* as the point at which the duty ought ultimately to stand. If the Chancellor of the Exchequer would reduce the duty to that amount, he would earn the gratitude of the country.

Whereupon *Previous Question* put, "That that Question be now put."—(*Mr. Chancellor of the Exchequer.*)

The House *divided* :—Ayes 137; Noes 65: Majority 72.

Main Question put, and *agreed to.*

Resolved, That, in the opinion of this House, it is expedient that the reduction of Fire Insurance Duty, made in the last Session, be extended, at the earliest opportunity, to houses, household goods, and all descriptions of insurable property.

AYES.

Adam, W. P.
Annesley, hon. Col. H.
Astell, J. H.
Bagwell, J.
Baines, E.
Barnes, T.
Bazley, T.
Beresford, D. W. P.
Blake, J. A.
Bowyer, Sir G.
Bramley-Moore, J.
Bridges, Sir B. W.
Brooks, R.
Browne, Lord J. T.
Butler, C. S.
Cave, S.
Chapman, J.
Cheetham, J.
Clay, J.
Cobbold J. C.
Cogan, W. H. F.
Collins, T.
Cox, W.
Craufurd, E. H. J.
Crossley, Sir F.
Dalglish, R.
Dickson, Colonel
Duke, Sir J.
Dunne, Colonel
Edwards, Colonel
Ewart, W.
Ewart, J. C.
Fane, Colonel J. W.
Farquhar, Sir M.
Fellowes, E.
Fenwick, E. M.
Ferrand, W.
Fitzgerald, W. R. S.
Forster, C.
Gard, R. S.
Gaskell, J. M.
Gavin, Major
George, J.
Gower, G. W. G. L.
Greenall, G.
Greene, J.
Greville, Colonel F.
Gray, Lt.-Colonel

Griffith, C. D.
Grogan, Sir E.
Hadfield, G.
Hassard, M.
Henderson, J.
Henley, Lord
Hennessy, J. P.
Hibbert, J. T.
Hodgkinson, G.
Horsfall, T. B.
Hubbard, J. G.
Jolliffe, H. H.
Kelly, Sir F.
Kendall, N.
Knox, hon. Major S.
Lacon, Sir E.
Langton, W. G.
Lanigan, J.
Leatham, E. A.
Lee, W.
Legh, W. J.
Lewis, H.
Locke, J.
Lopes, Sir M.
Lyall, G.
M'Cann, J.
MacEvoy, E.
Mackie, J.
M'Mahon, P.
Maguire, J. F.
Malins, R.
Martin, P. W.
Miller, T. J.
Mills, J. R.
Mitchell, T. A.
Montagu, Lord R.
Moor, H.
Moore, C.
Morris, W.
Morrison, W.
Mowbray, rt. hon. J. R.
Murray, W.
O'Conor Don, The
O'Donoghue, The
O'Ferrall, rt. hn. R. M.
O'Loghlen, Sir C. M.
Paget, C.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Papillon, P. O.
Parker, Major W.
Pilkington, J.
Ponsonby, hon. A.
Powys-Lybbe, P. L.
Redmond, J. E.
Repton, G. W. J.
Rogers, J. J.
Rose, W. A.
Russell, F. W.
Salomons, Mr. Ald.
Schneider, H. W.
Selwyn, C. J.
Seymour, A.
Shelley, Sir J. V.
Sidney, T.
Smith, Sir F.
Somes, J.
Stanley, Lord
Stuart, Lieut.-Col. W.
Taylor, Colonel
Taylor, P. A.
Tollemache, hon. F. J.
Tollemache, J.
Turner, J. A.
Turner, C.
Vance, J.
Vandeleur, Colonel
Vansittart, W.
Verney, Sir H.
Walcott, Admiral
Waldron, L.
Waterhouse, S.
Watkin, E. W.
Westhead, J. P. Brown-
Whalley, G. H.
White, J.
Wyld, J.
Wynn, C. W. W.
Yorke, J. R.

TELLERS.

Sheridan, H. B.
Clifton, Sir R.

NOES.

Ayrton, A. S.
Baring, rt. hon. Sir F. T.
Baring, T. G.
Bellew, R. M.
Bonham-Carter, J.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bruen, H.
Bury, Viscount
Caird, J.
Cardwell, rt. hon. E.
Childers, H. C. E.
Cowper, rt. hon. W. F.
Crawford, R. W.
Dunbar, Sir W.
Dunlop, A. M.
Enfield, Viscount
Fortescue, rt. hon. C.
Gallwey, Sir W. P.
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hon. W.
Glyn, G. G.
Goschen, G. J.
Grey, rt. hon. Sir G.
Hankey, T.
Hartington, Marquess of
Headlam, rt. hn. T. E.
Ingham, R.
Jackson, W.
Jervoise, Sir J. C.
Kingscote, Colonel
Kinnaird, hon. A. F.
Layard, A. H.
Marjoribanks, D. C.
Martin, J.
Moffatt, G.
Moncreiff, rt. hon. J.
North, F.
Paget, Lord C.
Palmer, Sir R.
Palmerston, Viscount
Peel, rt. hon. Sir R.
Peel, rt. hon. F.
Peto, Sir S. M.
Pollard-Urquhart, W.
Potter, E.
Pritchard, J.
Pugh, D.
Robartes, T. J. A.
Robertson, H.
Scourfield, J. H.
Smith, M. T.
Stansfeld, J.
Steel, J.
Tracy, hon. C. R. D H..
Vernon, H. F.
Villiers, rt. hon. C. P.
Waldegrave-Leslie, hon. G.
Walpole, rt. hn. S. H.
Whitbread, S.
White, hon. L.
Winnington, Sir T. E.
Wood, rt. hon. Sir C.
Wyvill, M.

TELLERS.

Brand, hon. H. B. W.
Knatchbull-Hugessen, E. H.

CHEMISTS AND DRUGGISTS (No. 2) BILL.

BILL ORDERED. FIRST READING.

Order for Committee read.

Acts read ;—*considered* in Committee.

(In the Committee.)

SIR JOHN SHELLEY moved, that the Chairman be directed to move the House for leave to bring in a Bill for regulating the qualifications of chemists and druggists in England and Wales. It was very much to be desired that these two bodies should come together, and as the hon. and learned Gentleman opposite (Sir FitzRoy Kelly) had already a Bill before the House upon this subject, he proposed, if the Motion were agreed to, to fix any future stages of his Bill for the same days as those on which the Bill of the hon. and learned Gentleman were set down, so that, if necessary, they might both be referred to a Select Committee.

SIR FITZROY KELLY said, that as soon as soon as he was acquainted with the provisions of the Bill about to be introduced he should be happy to communicate with the hon. Baronet, and between them a measure might be agreed upon calculated to work satisfactorily. If, however, as he had some reason to believe, the measure of the hon. Baronet went beyond his own in many particulars, he should be sorry to risk the loss of some one Bill of a practical nature this Session by striving after objects which might prove to be unattainable.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill for regulating the qualifications of Chemists and Druggists in England and Wales.

House *resumed.*

Resolution *reported.*

Bill *ordered* to be brought in by SIR JOHN SHELLEY, MR. CHARLES FORSTER, and MR. AYRTON.

Bill *presented*, and read 1°. [Bill 84.]

ARMY (LIBRARIES, &c.)

MOTION FOR AN ADDRESS.

MR. WHALLEY moved an Address for a Catalogue of the Books that are at present placed in the Libraries and Reading Rooms to each Troop, Battery, or Company in the British Establishment, and for which an annual sum is sought by Vote 15 of Army Estimates, page 60. The War Office, he believed, objected to the Motion, because these libraries at present were in the hands of the colonels of regiments, and the Department did not think the matter sufficiently important to interfere. It was certainly a question how far the education of soldiers ought to be left entirely to commanding officers. Books were introdued into these libraries which, if known, would not be permitted by the War Office. He refrained from going into details, but he might mention one instance. He had himself read a history of England published originally under the sanction of the Committee of Privy Council on Education which was a complete travestie of all the ordinary accepted facts in our history, which represented, for instance, the massacre of St. Bartholomew as originally planned by the Protestants for the massacre of the Roman Catholics, and that book was admitted into regimental libraries. There was another book called *Red, White, and Blue,* which was calculated to make soldiers discontented with their position, and the whole scope of which was to exalt the Roman Catholic religion. It was of great importance that the War Office should take some cognizance of this matter. The books which soldiers and sailors read were calculated to exercise considerable influence on their minds. Dibdin's works had been circulated among our sailors at the public expense, and he thought it was quite fitting that this subject should be brought to the attention of the War Office, and that inquiry should be made what books were placed in the hands of the Roman Catholic soldiers.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, a Copy of the Catalogue of the Books that are at present placed in the Libraries and Reading Rooms to each Troop, Battery, or Company in the British Establishment, and for which an annual sum is sought by Vote 15 of Army Estimates, page 60."—(*Mr. Whalley.*)

THE MARQUESS OF HARTINGTON said, the explanation which he had given to the hon. Member when he spoke to him on the subject was not, he found, entirely correct. The practice formerly was that books provided for the libraries of regiments were supplied directly either from the War Office or the Horse Guards. At present the practice was that, instead of books being supplied from London, an allowance was voted annually by the House, a certain sum per company, and regiments themselves provided in such manner as was thought fit the books required for the use of the library. The management of these libraries was in the hands of the committee of officers and non-commissioned officers, and no books were allowed to be added to the library except with the permission of the commanding officer, who was always obliged to mention in his quarterly Report what books or periodicals had been added to the library, and these Reports were submitted to the Council on Military Education. He considered these precautions quite sufficient guarantee against the introduction of any book of improper character or irreligious tendency into these libraries. The books of which the libraries at their foundation were composed were originally issued either by the War Office or the Horse Guards, and they had been added too with the approval of the Council on Education. He did not think it necessary that the subject should be further inquired into. There was another reason why he was unwilling to give the Returns now asked. The books in these regimental libraries were extremely numerous, and if a catalogue were had from every regiment the Return would be found so voluminous that no one would be disposed to bestow on it any time or trouble. Under these circumstances, he hoped the hon. Member would not press his Motion.

Question put, and *negatived.*

TESTS ABOLITION (OXFORD) BILL.

BILL ORDERED. FIRST READING.

Order for Committee read.

MR. GOSCHEN, in moving that the House resolve into Committee, in order that the Chairman might be directed to move for leave to bring in a Bill to provide for the abolition of certain tests in connection with academical degrees in the University of Oxford, stated that the Bill was identical with that introduced last year by the hon. Member for East Sussex (Mr. Dodson); and, as it had then been fully debated, he did not think it necessary now to make any statement on the subject. It would be more convenient to take the discussion on the second reading. He, therefore, confined himself to moving that the Speaker do now leave the Chair.

Mr. WALPOLE observed, that if the Bill was identical with that introduced last year, the only observation he had now to make was that the hon. Mover must expect the same opposition. He thought it would have been better to introduce a Bill amended in form instead of the identical measure which had only reached the Committee last year.

Mr. DODSON said, that the Bill of last Session had been introduced by its promoters in the shape in which they were anxious it should pass, and that they had left it to its opponents to give notice of such Amendments as they might think fit. It was not correct to say that the Bill had only reached the Committee, for the fact was that it had been read a third time, and had only been thrown out on the question that the Bill do pass.

Motion *agreed to.*

Tests Abolition (Oxford), — Resolution *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill to provide for the abolition of certain Tests in connection with Academical Degrees in the University of Oxford.

House *resumed.*

Resolution *reported.*

Bill *ordered* to be brought in by Mr. Goschen and Mr. Grant Duff.

Bill *presented,* and read 1°. [Bill 85.]

PROCURATORS SCOTLAND BILL.

On Motion of The Lord Advocate, Bill to amend the Laws relating to Procurators and to Conveyancers and Law Agents in Scotland, *ordered* to be brought in by The Lord Advocate, Sir George Grey, and Sir William Dunbar.

LAHORE BISHOPRIC.

Resolution *reported;*

That it is expedient to empower the Secretary of State for India in Council to make provision for the payment, out of the Revenues of India, of the Salaries of the Bishop and Archdeacon, and of other Charges incidental to the establishment of a Bishopric of Lahore."

Resolution *agreed to.*

Bill *ordered* to be brought in by Sir Charles Wood and Mr. Baring.

MILITIA PAY BILL.

On Motion of The Marquess of Hartington, Bill to defray the Charge of the Pay, Clothing, and Contingent and other Expenses of the Disembodied Militia in Great Britain and Ireland; to grant Allowances in certain cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons' Mates of the Militia; and to authorize the Employment of the Non-commissioned Officers, *ordered* to be brought in by The Marquess of Hartington and The Judge Advocate.

House adjourned at Nine o'clock.

HOUSE OF COMMONS,

Wednesday, March 22, 1865.

MINUTES.]—New Writ Issued—For Devon (Northern Division) *v.* James Wentworth Buller esquire, *deceased.*

Ways and Means—*considered in Committee*—(£15,000,000) Consolidated Fund.

Public Bills—*Second Reading*—Small Benefices (Ireland) Act (1860) Amendment [13]; Married Women's Property (Ireland)* [60]; Railway Travelling (Ireland) [66] Second Reading *negatived.*

SMALL BENEFICES (IRELAND) ACT AMENDMENT BILL—[Bill 13.]

SECOND READING.

Order for Second Reading read.

Sir HUGH CAIRNS, in moving the second reading of the Bill, said, it was introduced for the purpose of removing a manifest defect in the existing law in reference to benefices in Ireland. As the law stood at present, when parishes were too large and populous for ecclesiastical arrangements a division might be made and a church built in what became a district parish, and if any person subscribed money for the purpose the patronage of the new church might be vested in trustees to be appointed by them. But in the working of the various Acts of Parliament on the subject, this difficulty had arisen, that the actual transfer of the new church to the patronage of trustees could not be made until the church was completely built and the first incumbent appointed. The result was that there was no security beforehand that the transfer of the patronage would actually be made; and the reason being because there could be no transfer of patronage without the consent of the rector or vicar of the parish and the bishop of the diocese for the time being. It might be that both rector and bishop might be

BIBL

willing to make the transfer, but it by no means followed that after the lapse of a few years, when the church was built, the same vicar or bishop might be there, and the succeeding vicar or bishop was at liberty to say that he took a different view of the matter, and refuse to give the arrangement his sanction. In England no difficulty of the kind could arise, for there it was provided that agreements might be made by the vicar and bishop for the time being which should bind their successors; and thus persons who subscribed their money upon the faith of having the patronage transferred had ample security that the arrangement would be carried into effect. The first object of this Bill, therefore, was to assimilate the law of Ireland to that of England with respect to this transfer of patronage. The Bill also provided that in all those district parishes the fees which were paid for church services—that is, for baptisms, marriages, and burials—should be paid to the incumbent of those parishes, and not to the incumbent of the mother Church. That was the law already as to marriages in Ireland by special legislation. In England it was the law in regard to all the church services, and upon this point also it was intended to assimilate the law in both countries. The same arrangements as existed in this country with regard to the money collected at the offertory were also provided for in the Bill. He trusted the House would consider the provisions which he had described free from objection, and that it would assent to the second reading of the Bill, which he now begged leave to move.

Bill read 2°, and *committed* for *Wednesday* next.

RAILWAY TRAVELLING (IRELAND) BILL—[Bill 66]—SECOND READING.

Order for Second Reading read.

Sir COLMAN O'LOGHLEN, in moving that the Railway Travelling (Ireland) Bill be now read a second time, said, that the Bill was in substance the same as that which he had introduced towards the close of last Session, but which was thrown out on the second reading in a very small House. The object of the Bill was to secure to the public of Ireland the power of travelling on railways on Sundays, and also to give to third-class railway passengers in Ireland the privileges which were enjoyed by the same class in England. The feeling which existed north of the Tweed with respect to Sunday travelling did not prevail in Ireland, and circumstances which had recently occurred justified him in bringing forward this measure. From the introduction of railways into Ireland, some twenty years ago, almost every railway in that country ran one or two Sunday trains; but lately on some of the lines Sunday trains had been discontinued. This was the case on the Limerick and Waterford Railway. This line was the main artery of communication between Dublin and the south and south-west of Ireland. The Sunday traffic on this line had been stopped for the last two years, and the result was great inconvenience. No one, however urgent his business, could leave Clare for Dublin or elsewhere by rail between four o'clock on Saturday afternoon and eight o'clock on Monday morning; and no one could leave Limerick, a town of nearly 50,000 inhabitants, between eleven o'clock on Saturday night and eleven o'clock on Sunday night. He thought that was a state of things which ought not to exist. He took the instance of the Waterford and Limerick line, not because it stood alone, but because it was the principal company that had stopped Sunday trains. A paper had been circulated by the opponents of this Bill, which stated that there were twelve railways in Ireland, which did not run Sunday trains. How they made that out he could not tell, for according to a Return which had been presented to Parliament not very long ago, made up to July of last year, and which showed all the companies in England and Ireland which did not run Sunday trains, it appeared that in England and Wales there were 145 railways, with a mileage of 7,760 miles, which run Sunday trains, while there were only 23, with a mileage of 807 miles, which did not run Sunday trains, and these were chiefly small branch lines of from 5 to 15 miles, and that in Ireland there were 32 railways, with a mileage of 1,453 miles, which ran Sunday trains, and only 3, with a mileage of 293 miles, which did not run Sunday trains. It would, indeed, appear from the Return that the Limerick and Waterford Company did run a Sunday train, but the manner in which that company evaded the Return and made it appear as if they ran Sunday trains was, that they ran a train at eleven o'clock on Sunday night in accordance with the compulsory requirements of the Post Office. The first three clauses of the Bill dealt with the Sunday train question, and the other two clauses with third-class passenger trains. The first clause required that every railway company in Ireland should run one passenger train each way every Sunday, unless they were excused by the Board of Trade. The next clause provided, in order to prevent any evasion of the Act by running a train at eleven o'clock on Sunday night, and calling it a Sunday train, that the time of departure of such trains should be fixed by the Board of Trade. The third clause empowered the Board of Trade to excuse any company from running Sunday trains where it was shown that it would not interfere with the public convenience. This Bill differed from that of last Session by giving this discretionary power to the Board of Trade. The discretionary power of running or not Sunday trains ought not to rest, as it does at present, with the directors of railway companies, who might be actuated by some religious feeling, or who cared nothing for the convenience of the public, or who might believe that Sunday trains did not pay, although it was absolutely necessary for the convenience of the public that they should run on Sundays. By the Bill that discretionary power was taken away from directors and vested in a public Board responsible to that House. With regard to the other part of the Bill, he believed there would be no controversy upon it. At present, third-class passengers from Tralee to Dublin, or Ennis to Dublin, a journey of about six hours, had to sleep on the road. Now that was a state of things which did not exist in England, and ought not any longer to be permitted in Ireland. Some of the arguments that had been used against the Bill appeared to be untenable, and could not be supported. It was urged in the first place that it proposed a peculiar and exceptional legislation for Ireland. That no doubt was so; but one reason for it was that the inconvenience had arisen in Ireland, and did not exist elsewhere. Another reason was, that there is a difference between England or Scotland and Ireland with reference to the observance of the Sabbath — for instance, the National Gallery in Dublin was open after divine service on Sunday, and the privilege was very greatly appreciated. Sunday trains, too, in Ireland, were greatly used, and he believed that if the railway company were to stop the trains at present running on Sundays between Kingstown and Dublin, riots would take place almost equal to those which had recently taken place at Belfast. He was confident not one of the Irish Members who intended to oppose this Bill would or had refused to go down to Kingstown on a Sunday, or would wish to see the Sunday trains on that line stopped. The House would probably bear in mind that though in Scotland the Botanical Gardens were not open on Sundays, they had opened them in Dublin. The National Gallery was not open in England, though the gallery of Hampton Court Palace was open on Sunday, and it certainly was very curious that what was wrong in London was not wrong at Hampton Court Palace. The opening of the National Gallery and the Botanical Gardens in Dublin had been attended with great advantages to the working classes, and he had mentioned it to show that grounds existed for Sunday legislation for Ireland which did not exist in England or Scotland. Another argument used against the Bill was, that the House had no right by *ex post facto* legislation to compel railway companies to bear burdens which the law did not originally impose upon them. But the Legislature and this House had provided against this argument by the Act of 1844, and the Standing Orders of 1852. It is true that the Limerick and Waterford Company obtained their Bill before 1844; but they had since obtained other Bills in 1845, 1850, 1855, and 1860, and consequently they came under the provisions of the Act of 1844, and the Standing Orders of 1852, which made them liable to the provisions of any general Act relating to railways in force, or that might be passed during any future Session of Parliament, for the regulation and management of railways. Therefore this could not be called an attempt at *ex post facto* legislation, as against them, or any other company similarly circumstanced. But supposing there was neither Act or Standing Order, would the House assent to the proposition that railway companies were not subject to the jurisdiction of that House? Why, the opponents of this Bill might as well say that any future legislation with reference to communication existing between railway passengers and guards should not affect the present railways. Every company must be made subject to the public convenience, no matter when their Act was obtained. Another argument against the Bill was, that as Sunday trains did not pay, the House ought not to compel railway companies to run them. Those who used this argument appeared to forget that railways existed for the benefit of the public, and not the public for the benefit of the railways. Railways did not stand in the same position as carriers and stage coaches, and they could not refuse to run trains because they did not pay. There was no difference in principle between requiring a railway company to run a train each way on Sunday, whether it paid or not, and requiring them to run a train each way on week days, whether it paid or not, as was required by the Act of 1854. On the broad question of Sunday travelling there was much conscientious difference of opinion. That question had been discussed in and out of the House. But it was monstrous to say that the convenience of a few railway officials, or the scruples of directors, should prevent railway travelling on Sundays. The poor required travelling on Sunday more than the rich. One class could travel any day in the week; the other could not leave their work on the six days. But even the rich often required to travel on Sunday. He knew an instance in which a noble lady, visiting a dying father, was unable to proceed to her destination, because there was no Sunday travelling in Scotland. He knew also an instance in Ireland, in which an eminent physician, who had been telegraphed for from Dublin, could not attend the patient because there was no Sunday train. Altogether, the Bill would remedy a great public inconvenience; it did not go too far, and he asked the House with great confidence to allow it to be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen.*)

Mr. BLAKE regretted, from esteem he had for the hon. Baronet who introduced the Bill, that he was again obliged to endeavour to frustrate what he seemed so anxious to carry; but his proposal would inflict so much injustice and injury on the proprietors of the railway lines, on whose behalf he spoke, that he felt it his duty to do so. Before entering on the real question before them, he would only remark that the portion of the Bill which provided for giving third class passengers increased facilities for reaching their destination at the same time as second class, were to a great extent unobjectionable, and if he embodied that part in another Bill he would, with certain modifications, be disposed to support instead of opposing him. The section, however, which made it compulsory on all Irish railways to travel on Sundays was very different indeed, and he would confine his objections altogether to endeavouring to induce the House not to pass the Bill on the ground of the highly objectionable nature of the clauses relating to Sunday travelling. As he regretted he could not lay claim to such highly religious scruples as others regarding travelling on Sunday, he would waive the use of the strong argument which he might use against the Bill in relation to Sabbath observance, and would simply lay before the House the business aspect of the matter. The hon. Baronet and the other hon. Members whose names appeared on the back of the Bill, admitted that their efforts had for their object the compelling of the railways in the counties of Clare and Limerick to run on Sundays. He was alluded to as representing the Waterford and Limerick Railway, but he spoke on behalf of the proprietary of four other companies in that district as well. Notwithstanding the assertion of the hon. Baronet to the contrary, the House could not fail to see that the legislation he proposed was *ex post facto* in its character, and would impose on railways obligations which they neither undertook or contemplated when they obtained their Bills and constructed their lines on the faith that they would not have to do more than carry out the provisions contained in the former. It would be a great blow to railway enterprize if shareholders, after subscribing their capital, would be liable to have obligations, by which they would be certain to lose, imposed on them after their lines were in operation. The hon. Baronet said that the Bill now before them differed materially from that of last Session, inasmuch as it would be left to the Board of Trade to decide whether, taking certain things into consideration, trains should run on Sundays. But it would be a monstrous invasion of the rights of railway companies to take the power out of the hands of those directors to decide regarding the working of their lines for a seventh part of the whole year. The House could easily imagine how a few Members of Parliament, living in a particular district, could bring such a pressure to bear on the President of the Board of Trade as would influence him to direct that trains should run even to the injury of the proprietors. Why should such power be given to a Minister of the Crown as to decide what line should have a Sunday train, and what line should not? How would he ascertain the necessities of a distant district in Ireland? Was he to issue a Commission of Inquiry? Was he to turn the Board of Trade into a railway committee-room and to hear evidence from both sides? He would confine his illustration of the monstrous injustice that would be perpetrated to that particular district which he represented. The Waterford and Limerick was 77 miles long; the Foynes 25; Ennis 26; Castleconnell 13; and Limerick and Birdhill 18. Sunday running, under the Bill, would involve keeping 880 officials of all descriptions at work. Calculating the extra sum they should be paid at an average of 2*s*. 6*d*. the company, independent of the wear and tear of carriages, fuel, &c., would incur a cost of £110 a day, or £5,720 a year. Calculating the receipts from passengers, say twenty-five at ten shillings, which was far beyond what would be likely to travel in the winter months, the proceeds would be £12 10*s*. a week, or £650 a year; so that the proprietors on these lines would lose upwards of a thousand a year. Now, this was no theory; the experiment had been tried for a long time on all these lines of running Sunday trains, and the result was a terrific loss. On the Ennis and Limerick line an average of only three through tickets were issued; on some of the smaller lines not so many; and on the Waterford and Limerick it was equally bad. The directors, acting for the interest of the shareholders, wisely resolved to stop such a ruinous business. The promoters of the Bill contended if the companies ran on Sundays that traffic would be developed, and that they would be compensated at last, but the experiment had been fairly tried for a long period, and was only given up when it was found that the Sunday traffic was getting from bad to worse. The hon. Baronet had already endeavoured to enforce railway travelling in Ireland on Sunday in the courts of law, and had been defeated. [Sir Colman O'Loghlen remarked that the case was abandoned.] The case was no doubt abandoned, but only at that critical period when to have proceeded further with it would have ensured defeat. But having been virtually defeated in the courts of law, it was unfair for the hon. Baronet to come forward with a Bill in Parliament for securing the same object, which if applied to England or Scotland would not for a moment be entertained by Parliament. One of the arguments in favour of the Bill was that the lines were in the hands of a millionaire and a monopolist, and that the battle was fought not for the benefit of a large body of shareholders but in the interest of a single individual. It was quite true that Mr. Malcolmson was the chief owner of the lines in question; and it was very fortunate that there was an individual with the capital and spirit to take up lines that had broken down in other hands and make them a success. And, even supposing Mr. Malcolmson was the sole proprietor, was he on that account to be mulcted in heavy loss for doing what no one else, with the condition the country was in, would venture to do. He begged to call the attention of the Chief Secretary for Ireland and the few occupants who were on the Treasury Benches to one fact which should, he thought, influence them in not supporting the Bill before them. Nearly all the lines in question had, owing to the depression which prevailed in Ireland, been obliged to obtain advances from the Treasury, and lately had to apply to the Government for an extension of time for payment, in consequence of their receipts not doing much more than meeting their expenses. The Treasury were, therefore, creditors of these lines, and interested in their being able to meet their liabilities; but if Government imposed obligations on them which would still further depress them they would not be in a position to meet those engagements, and should lay on Government the onus of having rendered them so to a great extent by sanctioning the Bill then before the House. The hon. Baronet had urged strongly that Parliament ought to consult the convenience of the large number of inhabitants through which the railways ran, and yet, singular enough, not even a solitary petition had come from these people in support of his Bill; and if the interest of the public was to be consulted, and that railway officials and servants were to be considered as part of the public, surely giving a day of rest to 880 hard worked men, could be well weighed against the travelling on Sunday of twenty-five individuals, who in most instances it could be shown could quite as well have travelled on Saturday or Monday. In conclusion, he earnestly hoped the House would, by as decisive a majority as occurred last year, reject the Bill. He admitted, before it would be stated by others, that he spoke on behalf of a public spirited individual quite as much as on behalf of the other proprietors. He was employing his vast resources and great abilities in an endeavour to resuscitate that country, and on his part he asked them not to mar his useful efforts by imposing obligations of so unjust and exceptional a character as that contemplated by the Bill.

Mr. LEFROY, in seconding the Amendment, said, he objected to the Bill both upon religious and financial grounds. The Legislature had declared that all acts, except those of necessity and piety, were unlawful on the Sabbath day; and yet the proposal involved in the present Bill was that 880 railway officials should be employed in unnecessary labour on Sunday and prevented from attendance to their religious duties and separated from their families. And when the House considered that this was done for the convenience of perhaps five-and-twenty persons, he thought they would refuse to sanction the measure. Upon financial grounds the Bill was also objectionable, inasmuch as it would entail an annual expenditure of £5,000 upon certain railway companies which were not in a position to make such an outlay. Not a single petition had been presented in favour of the running of such trains, and so inadequate a case had been made out that he hoped his hon. and learned Friend would withdraw the Bill, and not put the House to the trouble of dividing.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Blake.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Colonel DICKSON wished to know whether the hon. Member for Waterford (Mr. Blake) stood there as a shareholder in the lines of railway to which he referred, or as a partizan of the proprietors of the great lines? He was, unfortunately, largely interested in two of these lines, and he stood there to protest against any interference with their interests. Of Mr. Malcolmson he desired to speak with all respect. Now Mr. Malcolmson happened to be Chairman of the Waterford and Limerick line, which owing to gross mismanagement had not been prosperous; but he hoped the exertions of Mr. Malcolmson would restore prosperity to it. He should not enter into the religious view of the question; but when hon. Members talked of the immorality of travelling on Sunday he would ask them—Did they never go to Greenwich to dine on a Sunday? Did they never employ their servants on Sunday? Railways had, of course superseded every other means of travelling, and there was no reason why they should not ask for the removal of the inconveniences at present felt. He protested against those small lines being sacrificed to the great ones. The falling off in the receipts on the small lines was not to be attributed to Sunday travelling, but to the very injudicious way in which their affairs had been arranged. A report had prevailed in the autumn that the Chancellor of the Exchequer had a scheme for purchasing the railways of the kingdom, and as far as regarded the railways of Ireland he wished that the right hon. Gentleman had carried out his scheme. He thought that some steps should be taken to remove the smaller lines from the influence of the great lines, and that the time had come for some legislation on the question.

Sir HUGH CAIRNS said, that he knew nothing of the squabbles referred to between different railway companies, and he thought it would be better for the House to leave them to manage their affairs their own way. But the Bill before them was not of a local and personal nature—it raised a question of very great importance, and he could not help expressing his surprise that, on a question affecting the trade of the country, the House had not the advantage of the presence of the President of the Board of Trade. With regard to the Sunday question he had his opinions; but the present Bill had nothing to do with that subject. This was a proposition to interfere in a manner never dreamt of for years past with the mode in which persons might carry on their trade. A railway was, no doubt, a public highway. It must be open every day in the week, like any other public highway, and any person who liked had a right to run a carriage upon it, on paying the tolls prescribed by the Act of Parliament. He was aware that that right was not practically exercised. But let the House remember the position of a railway company. Being the proprietors of the highway, they might or might not, as they pleased, become public carriers; they might, if they pleased, run trains on a part only of their line, or they might run trains on certain days only in the week. As regards the law, they were just as free as any other carriers to carry when and how they pleased. If the House were to require railway companies to run trains on Sundays for the public convenience, why should it not for the same reason require them to run trains more than once a day, or at different times from what they did if some of the public chose to think it for their convenience that they should do so? But he thought the House was hardly prepared to say to the railway companies "You are public carriers, and in that capacity we will make you run trains when we think it convenient." The hon. and learned Baronet (Sir Colman O'Loghlen) who introduced this Bill, said that the principle of legislative interference with railway companies was affirmed by the Act of 1854, requiring companies to run what were called Parliamentary trains. But that measure was to be confined to railways which were thenceforward to be constructed, and it did not extend to railways which had already been completed. But besides, the principle on which that Act was passed was, that the poorer classes ought not to be deprived of an accommodation which was afforded to the rich, and it was not sanctioned by Parliament merely in order that the public at large should be accommodated. The hon. and learned Baronet further said that at the end of every Railway Bill there was inserted a clause declaring that the company should be subject to the provisions of any future Act for the regulation of railway traffic. The object of that clause, however, was merely to subject railway companies to subsequent legislation, having for its object the safety of the public. But was it meant that it should authorize the House to legislate in the way of fixing the amount of fares? [Sir COLMAN O'LOGHLEN: Hear, hear!] He was aware that Parliament had laid down a maximum of railway fares which railway companies could not exceed; but that was a very different thing from declaring what was the particular charge to be made to each class of passengers. Parliament never meant by that Act to confiscate the property of railway shareholders. He would ask, if the principle of the Bill was a sound one, why should it not be extended to England and to Scotland? for it was well known that, in some parts of England and throughout Scotland generally, no trains were run on Sundays. Let the hon. and learned Baronet bring in a general measure upon the subject, and the House would, after due deliberation, know how to deal with such a proposal; but as he conceived that this Bill was fraught with danger in regard to the true principle of legislation, he trusted that the House would not consent to the second reading.

LORD JOHN BROWNE said, he knew an instance in which the life of a gentleman in Ireland had been greatly endangered because it was found impossible to send for a surgeon by railway on Sunday after he had met with a serious accident. The House had already interfered in various ways with railway companies, and had in particular insisted on their providing accommodation for the working classes. He believed that the general feeling in Ireland was decidedly in favour of the measure.

MR. ROEBUCK said, they had heard a very ingenious technical argument from the hon. and learned Member for Belfast (Sir Hugh Cairns), but the hon. and learned Gentleman had carefully kept out of view the real character of railway companies. They were not private traders in the ordinary sense of the words. Their character was a distinct and peculiar one. First of all, they asked the House for peculiar powers; and the House in granting those powers had a right to require from them in return the performance of certain duties. Besides, the House by granting those powers drove from the same line of traffic every other person whatever. Parliament was, therefore, bound in that case to take care of the public interests. The hon. and learned Member for Belfast had talked of "confiscating" the rights of those companies. There was no word more displeasing to English ears. But there was no confiscation in the matter. In 1844 Parliament told the railway companies that when they obtained Bills they must take them with the understanding that the House would, if it so thought fit, interfere with them; and did not the House interfere with the whole of railway transactions? The House laid down no maximum fare in the case of a common stagecoach, but it did in the case of a railway. The hon. and learned Member for Belfast (Sir Hugh Cairns) said that when a railway company constructed a line they became common carriers. Did they? Were they not very uncommon carriers? Did they not drive everybody else from competition? And when the hon. Gentleman talked in the way he did, was it not a farce, and was not the hon. and learned Member endeavouring to impose upon them, and was he not trifling with the common sense of the House? He had not touched upon the religious part of the question, for the hon. and learned Baronet (Sir Colman O'Loghlen) said he would not raise that question; and the hon. Member for Dublin University (Mr. Lefroy) had touched the question in a very gingerly manner. The attempt to introduce the Sabbatical question into this discussion deserved to be scouted by the House. Then he came to the question whether there was any harm in transferring the decision in such cases from the railway directors to the Board of Trade. And here he could not help saying that the Government were not represented as they ought to be on that occasion. He would pay the right hon. Baronet the Secretary for Ireland every respect, but he ought to have been aided on that occasion by the President of the Board of Trade or the Chancellor of the Exchequer. They knew that there were looming in the distance things with respect to railways in which the Chancellor of the Exchequer was greatly interested; they knew that railways in Ireland were now engaging his attention; and they should have liked very much to have heard his opinion on this matter. This question might touch the financial arrangements of the Irish railways. But the interests of the public had been represented in an extraordinary manner on that occasion. He could not think that the interests of the public were of such a character that they would justify the Irish railway authorities in exclaiming, "We shall be ruined and destroyed by such a proposal;" nor could he think that by acceding to this proposition and putting the matter in the hands of the Board of Trade they would be doing any great injury to the financial interests of the Irish railway companies.

Major GAVIN said, that in matters of legislation the interests of the greatest number ought to be considered. Now, it had been stated that if the trains in Ireland ran on a Sunday 800 railway officials would be inconvenienced; but he would put against that number the 50,000 people in Limerick who were inconvenienced by the want of a Sunday train. No one could regret more than himself that any Irish railway should not pay; but he believed that in some districts Sunday would eventually be the best paying day, if trains ran on that day. But whether that were so or no, he believed that the ordinary traffic paid well, and the railway directors should be satisfied though they might lose in one particular if the traffic paid generally. Foynes, one of the best and safest harbours in Ireland, was likely to become a great station for America, and he believed that if many steamers started from that port four trains, instead of one, would be needed to run on a Sunday. He hoped that the House would pass the Bill, which would operate to the great convenience of all in the south of Ireland.

Mr. LONGFIELD said, he would not dwell on the Sabbatical view of the question. Under the Jewish law a man was restricted to a Sabbath-day's journey, which he supposed was about two furlongs; but he read of nothing of the sort under the Christian dispensation, and he saw no impropriety in people enjoying the treat of an excursion on Sunday. He agreed that railways were the creatures of legislation, and that the House had the right to resume what it had conferred; and though retrospective legislation was not liked in the House or in the country, that did not apply to all times and all circumstances, and he thought it was competent to the House to interfere if a fair case were made out. They had heard "the public" very much spoken of in the course of the debate; they had also heard of the three tailors of Tooley Street speaking in the name of the people of England; and the complaint in the present case seemed to originate with some twenty-five persons, one-fourth of whom were Members of that House. The hon. and gallant Member for Limerick (Major Gavin) complained that the people of that city had no means of getting from that place on Sundays. He (Mr. Longfield) had certainly found it one of the saddest places he was ever in on a Sunday; but he thought the people there might find opportunities if they chose to avail themselves of them; but by some unaccountable stupidity the people of Limerick, when they had the opportunity, did not like to pay for it. They might talk about "the public" if they pleased; but there was no substantial grievance here to be redressed. He had no sympathy with Scotch legislation. A man might as innocently go to Greenock or Dumbarton on a Sunday as stay at home and get drunk there; and a man might as innocently go to Kingstown on a Sunday as stay in Dublin and get drunk. That was the alternative. In the same way he had no objection to the people of Limerick going to Foynes on Sunday if they pleased. But had the promoters of this Bill made out any case for this exceptional legislation for the ruin of these companies? One railway in Ireland had already become bankrupt, and if they passed this Bill every shareholder in the half-paying and non-paying lines of Ireland would, by the peculiarity of the law of that country, be subject to the bankrupt laws on the company becoming insolvent. This Bill had been introduced to accommodate a few Members of that House and an enormous district of twenty-five persons. There were no compunctious visitings of conscience on the part of proprietors of the Limerick and Waterford Company which induced them to forego the profits of Sunday trading. They had no strict Sabbatarian notions, if Sunday was a good paying day, not to avail themselves of the profits. And the most cogent and convincing evidence that Sunday trains in Ireland did not pay was to be found in the fact that the existing railways did not pay. Yet that House was called upon to compel them to become insolvent. The question was, whether the public were likely to be benefited by this compulsory legislation. He had as great a regard for the public as the hon. and learned Baronet who introduced this Bill and those who supported it; but confessed that, although the word public was a generic term, he had very little regard for it when it represented twenty-five gentlemen on one side and the solvency of the Irish railways on the other. He should oppose the Bill because he thought that the public would be more injured than benefited it by in the end.

LORD DUNKELLIN denied that this measure could properly be called exceptional, seeing that it was intended to extend the legislation of 1844. As to the allegation that only twenty-five persons travelled upon the particular line which had been alluded to, there could be no doubt that if an opportunity were only afforded them of doing so, a very large number of persons would travel upon it. As Ireland was a Roman Catholic country he would not offer any observations on the religious part of the question; but would pass to the financial. The hon. and learned Member for Belfast had compared railway companies to ordinary carriers on the highway; but there was no fair analogy between the two. If an ordinary carrier refused to convey on a Sunday that did not prevent the highway from being available to the public; but, if a railway company would not run its trains the line obviously could not be used by the public. The advocates of the Bill did not wish to make the companies work at a loss, but they desired that the different districts which they were bound to accommodate should not be practically cut off from the means of locomotion. The measure contained this safeguard for the interest of the companies, that it made it competent for the Board of Trade to enable them to cease running trains at a heavy sacrifice. It was asked why the Bill did not include England and Scotland as well as Ireland in its scope. The answer was, that England already enjoyed the accommodation which was wanting in Ireland; and as for Scotland its case was peculiar, but if the Scotch Members thought it expedient to bring in a Bill of the same kind for their country they would receive every support from the promoters of the present measure. The general feeling of the people of Ireland was in favour of such a Bill as that being at least tried for a time; and its adoption would afford some relief to those parts of the country, particularly the south and west, which were now entirely at the mercy of two great railway companies.

MAJOR HAMILTON said, that the hon. Member for Mayo (Lord John Browne) had mentioned a case in which a gentleman could not get medical assistance from Dublin in consequence of there being no railway traffic on Sunday. But he was happy to inform the House that there was sitting opposite to him a Gentleman who had that day expressed the opinions of his constituents, and was enabled to make his very lucid statement in consequence of there being no Sunday railway traffic in Ireland. His hon. and gallant Friend telegraphed when he was very ill for the doctor to go down to Limerick and see him; and the answer was that there was no railway travelling on Sunday, consequently the doctor could not go to Limerick, and his hon. and gallant Friend recovered and was in the House to make his lucid statement that day. Therefore, putting Limerick against Mayo, they had an even question as between Sunday railway travelling in Ireland and the absence of it. The objection of the people of Scotland to that Bill was that it might cause compulsory Sunday labour to be forced on railway officials in Ireland; and they were afraid that if it were now passed for Ireland it might, in a future Session, be held good for Scotland also.

CAPTAIN STACPOOLE very briefly supported the Bill.

MR. H. ROBERTSON said, the House was called upon by this Bill to say that trains should be run on Sundays on every line in Ireland; and that the President of the Board of Trade should fix the times of starting. He thought that nothing more vicious than such a Bill as applied to railway management could be conceived. If there was to be a Board external to the railway companies themselves which was to determine what trains were to be run, and to fix their times of running, let the House understand that that would very much involve the whole management of railways. It was proposed that it should first be decided that there was to be a particular train and then that an inquiry should be made to see whether it was wanted. That was inverting the natural order of things. The inquiry should go first and the decision come afterwards; and he maintained that when the passengers on a line amounted only to twenty-five no case was there made out for special legislation. It was sometimes said, and said truly, that Ireland was deficient in capital; but how were Englishmen, Scotchmen, or even Irishmen to be induced to invest their money in railways there if Parliament was to insist on the companies running one, two, or three trains on a particular day whether the traffic was remunerative or not? He trusted that such a mischievous Bill would be rejected.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 39; Noes 42; Majority 3.

Words *added*. Main Question, as amended, put, and *agreed to*.

Second Reading *put off* for six months.

House adjourned at a quarter before Three o'clock.

HOUSE OF LORDS,

Thursday, *March* 23, 1865.

MINUTES.]—Public Bills—*Second Reading*—Private Bill Costs (31); Consolidated Fund £175,650) Committee *negatived**; Dublin International Exhibition (1865) (13), Committee *negatived**; Perth Provisional Order Confirmation* (38).

Report of Select Committee—Bankruptcy and Insolvency (Ireland) Act Amendment* (20).

Committee—Felony and Misdemeanor Evidence and Practice* (22); Affirmations (Scotland)* (37).

Report—Felony and Misdemeanor Evidence and Practice* (22); Election Petitions Act (1848) Amendment* (35); Bankruptcy and Insolvency (Ireland) Act Amendment* (No. 20).

RELATIONS WITH THE UNITED STATES.—OBSERVATIONS.

Earl RUSSELL: My Lords, in presenting (by Command) Papers respecting the Termination of the Reciprocity Treaty, of 5th June, 1864, between Great Britain and the United States (North America, No. 2 1865), I wish to make a statement in regard to the relations between this country and the United States. My Lords, one of these papers is a letter from Mr. Adams, in which he states that he is commanded by the President to deliver to the British Government a notice, dated March 13, in regard to the termination of the Reciprocity Treaty between this country and the United States, and stating that this treaty will terminate twelve months from the date of the acknowledgment of that notice. Mr. Adams also encloses the vote of the Congress, which has been approved by the President, declaring that it was no longer for the interest of the United States that that treaty should continue. Coupled with this notice is a notice given with respect to the armament of the Lakes. These may perhaps be considered evidences of hostility towards this country; but I think that this is not really the case. I think it must be admitted that recent occurrences on the Lakes—namely, the seizure of vessels by the agents of the Confederacy and other acts of hostility—completely justify the United States in giving notice of the termination of the convention. My Lords, it was not to be expected that the United States would allow itself to remain open to the repetition of such acts of violence, or would submit passively to such acts without availing themselves of all the means of repression within their power. With regard to the Reciprocity Treaty, although I will not say there are sufficient grounds, yet there are grounds with respect to the admission of articles duty free into the United States which may induce the United States Government to wish for a renewal of the treaty with modifications that may be more advantageous, and which the United States Government may consider more just, to the United States. Accordingly, when Mr. Adams informed me of the result of the negotiations which had taken place between the President of the United States and the agents of the so-called Confederate States, I expressed to him a hope that when he should present to me the notice of the termination of the Reciprocity Treaty I should find that the Congress and Government of the United States would be ready to consider propositions, by which a small and limited armament might be kept up on the Lakes, for the purposes of police, on both sides; and also that a renewal of the Reciprocity Treaty, upon terms to be agreed upon by both parties, might be negotiated during the twelve months to elapse before the existing treaty ceased its operation. Of course, Mr. Adams was not authorized to give me any assurance upon the subject, but the language he used induces me to trust that such an assurance would be given. I am sure your Lordships will all be anxious that the relations between this country and the United States should continue as they are now, of a pacific and friendly character; and, for my part, I should be very sorry that anything should occur, or be done in this country, that would tend to prevent such a satisfactory result. But, my Lords, I cannot but think that expressions which have been used, and speeches which have been made, may tend to excite in the United States a disposition unfavourable towards the end which we thus desire to see accomplished. I allude to speeches declaring that this country has behaved wrongfully to the United States, has given the United States just cause of complaint, and that an unfriendly spirit has been shown by the English people throughout these transactions. My Lords, the obvious effect of speeches such as these must be that individuals in the United States who are in favour of hostilities with this country—and there is such a party there—must know that there is in this country a party ready to take up the view that the United States are in the right, and, therefore, that they will be wanting in proper spirit and in proper regard for the national interests and the national honour if they do not complain loudly of the conduct of this country. I ask your Lordships to attend for a short time to the statement which I have to make; because I cannot but think that the Government of this country and this country itself have been wrongfully accused upon these various points. One of the chief complaints put forward is, that this country, in a great hurry and without proper consideration, granted belligerent rights to what are called the Confederate States. Now, every one who knows anything of the law of nations knows perfectly well that although a country may put down insurgents who rise against its authority, yet that a country has no right or power to interfere with neutral commerce unless it assumes the position of a belligerent. But that is what the United States did. The President of the United States by his proclamation declared that the coasts of particular States were in a state of blockade, and that armed vessels belonging to those States were to be treated as pirates. There came representations on this subject from Her Majesty's Minister in the United States; but in the first instance these merely covered despatches from Admiral Sir Alexander Milne, commanding Her Majesty's squadron in those waters, asking how he was to treat the armed vessels of the two parties. At that time Lord Campbell held the high office of Lord Chancellor, and of course we consulted him and the Law Officers of the Crown as to what should be done. Lord Campbell declared, as we all supposed he would do, that there was no course but one to pursue—namely, to regard the blockade on the part of the United States as the exercise of a belligerent right, and as belligerent rights cannot be confined to one party, but are necessarily exercised against somebody else, our advisers told us that we were entitled to recognize the existence of belligerent rights on the part of both the combatants, and to declare Her Majesty's neutrality between the two parties. And this, accordingly, was the course which we advised Her Majesty to pursue. The proclamation in that sense was approved, if not actually drawn up, I believe, by my learned Friend the present Lord Chancellor, then one of the Law Officers of the Crown. The course of neutrality thus adopted was certainly received with favour, and, I believe, commended itself to the sentiments of the country as the right course for us to take. It is said now that we ought to have awaited the arrival of Mr. Adams. I know not what Mr. Adams could say on the subject. If I had told my Colleagues that we must wait for him and consult him, I believe it would only have caused embarrassment in the relations between the two countries. He could scarcely have approved anything which we did short of taking the part of the North against the South. But then, it is said, if the proclamation of neutrality was not altogether wrong, at any rate it ought to have been delayed, and that unfriendliness was shown in the manner of its promulgation. I conceive that there was nothing unfriendly, nothing uncourteous in the declaration; but, on the contrary, that it was the proper course for this country to declare at the earliest moment that it meant to take part neither with the North nor with the South, but to remain entirely neutral in the contest. Be it observed also that from the issue of that proclamation, on the 13th of May, Her Majesty's subjects were bound to take no part in the contest, and were warned that they would disobey Her Majesty's injunctions if they gave aid to one side or the other. Your Lordships all remember the affair of the *Trent.* It is said with regard to that affair, as with regard to the proclamation of neutrality, that the proceedings of the Government were unfriendly and uncourteous; and I am accused—not for the first time certainly, nor probably for the tenth time, but with as little justice now as on any of the former occasions—of having had a despatch put into my hands which ought to have been published, because it contained an assurance on the part of the United States Government that they did not intend to resist the delivery of the Commissioners. My Lords, that was very far from being the case. Although Mr. Adams did bring me a despatch on that occasion, it was a despatch relating chiefly to other questions between the two countries, and merely ending with a declaration that if any demand were made upon the subject of the *Trent,* that question would be fairly considered by the United States Government. The despatch was read to me by Mr. Adams, but it was not put into my hands, and therefore I could not publish it. Even had it been left with me, and had I published it, it would have given no satisfaction, because I certainly believed, and my noble Friend at the head of the Government also believed, up to the last moment, that it was entirely a matter of uncertainty whether the United States Government would give up these Commissioners, or whether they would refuse to do so, and withhold arbitration. And now, as to the manner in which these demands were made. In the first place, I wrote to Lord Lyons, and begged him not to make any demand in the first instance, but to see Mr. Seward and acquaint him with the nature of the despatch, and request that he would name a day when the despatch could be put into his hand, so that he might have the opportunity of consulting the President before he gave his answer. That appeared to me the course which it was most courteous to take. And I am bound to say, in mentioning these facts, that there is one circumstance connected with them which does the highest credit to the memory, good taste, and discretion of one whose loss the House and the nation have not yet ceased to regret—the late Prince Consort. At the last moment, after her Majesty had approved the despatch, my noble Friend (Viscount Palmerston) received a letter from the Prince Consort, in which His Royal Highness said that some of the expressions used in the despatch might be considered too abrupt, and suggested other phrases, which he thought might make it more easy for the Government of the United States to accept the request which it conveyed. These phrases, in deference to one who was so great a master of diplomatic language, were adopted by the Government and embodied in the despatch, and, doubtless, tended in some degree to render the document more acceptable to the United States Government, who were called upon by its terms to perform a duty in conformity with the law of nations and regarded by the people of this country as an act of justice. But it is said that, while we displayed great haste in acknowledging the South as belligerents, we were guilty of great supineness in the case of the *Alabama;* and upon this point I have only to state that the evidence on this subject was furnished to us by Mr. Adams, and that the information which we received was immediately laid before the Law Officers of the Crown. Their Report was received on the morning of the 29th, and it was immediately considered; but on the morning of that day the *Alabama,* having obtained some intimation of what was likely to occur, left Birkenhead, and was no longer within our reach. On this question, however, I will say no more, because it may form a matter for discussion between the Government of the United States and our own. I do not wish in any way to forestal that discussion, but I think I may say that we have done everything which either International Law or the laws of this country demanded of us in order to prevent the attacks made on the trade of the United States. There was, however, another case which was the subject of much discussion, and in respect to which considerable irritation was created, and some discussion has been raised which was entirely unnecessary. After the *Alabama* had sailed from Birkenhead, the same firm which built that vessel began to build other vessels, the construction of which amounted in itself to an armament, and furnished evidence of a hostile purpose. The owners of those vessels were known to be in correspondence with Captain Bullock, the agent of the Confederate States, and we had every reason to believe that those iron rams were intended to break the blockade of the Southern ports, which had been established. Now, it seemed to me that if those vessels, with armament so completed, were allowed to proceed from the port of Liverpool, the utmost danger to the friendly relations existing between this country and the United States would have been the result. I could not conceive it possible that the United States would have allowed those armed vessels to break the blockade, which had been acknowledged by the authorities of this country, and not make demands with which we might not have found ourselves able to comply. I, therefore, took what was a very strong measure on this subject. I ordered those rams to be detained, and afterwards directed that they should be seized for the purpose of preventing them from committing acts of hostility. We subsequently had placed in our hands the contract by which the agents of the Confederate States had agreed to sell those rams to M. Bravay, who said they were not intended for purposes of hostility against the United States. The question, however, remained to be tried, and we came to the conclusion that, though the moral evidence was complete, and though we believed the legal evidence to be complete, that there might still be circumstances which would prevent a conviction from being obtained. I am, however, convinced that it would not only have been unfortunate, but that it would have been an ignoble and ignominious thing if we had been obliged to go to war, not for the honour of England, because that was not engaged; not for the interests of England, because they were not involved, but for the sake of private considerations, where no injustice has been done. I therefore regret very much that the noble Earl opposite took the course which he has taken, and that he should have done everything in his power to prevent our stopping those vessels, which might otherwise have gone and broken the blockade. I have now stated the course which Her Majesty's Government have taken in these matters. I will now say that there is every reason to hope that, as the ports of the Southern States have been captured by the arms of the United States, many questions which have hitherto arisen as to the breaking of the blockade, the imprisonment of the crews of vessels, and several other questions touching the maritime rights of the two countries, will disappear, and that there will be the less reason to apprehend the occurrence of hostilities between us and the United States. I must at the same time observe that the impartial course which Her Majesty's Government has pursued has from time to time been impeded and endangered, on the one side by those partisans of the North who were constantly stating that we were acting in a manner hostile to the North, and, on the other, by those who were as constantly violating the neutrality which Her Majesty had proclaimed in the pursuit of their own private ends. But, be that as it may, I am satisfied that there is not the slightest pretence for saying that the course which the Government has pursued has not been strictly neutral. To-morrow a new Minister will set out from this country to represent Her Majesty at Washington. We greatly lament that Lord Lyons is, owing to the state of his health, unable to return to his post. There is no person to whom the country is more indebted for the wise, calm, and conciliatory line of conduct which he has pursued than that noble Lord, who has never failed, at the same time, to maintain the dignity and honour of the country; and I am happy to do justice to his eminent acquirements and talent. Sir Frederick Bruce, who is about to take his place, has distinguished himself greatly in China by the firmness of his policy. He has acted in such a manner towards the Chinese Government as completely to win their confidence; his conduct towards the representatives of the other European Powers has been such as to obtain their concurrence in every step which he has taken. Towards the British merchants and British interests in China he has so acted that, while willing to listen to their complaints and to obtain redress for their just grievances, he has never shown himself prepared to support their unreasonable demands, or make any proposal contrary to the spirit of the treaties with this country. That being so, he appears to me to be exactly the man whom it is desirable Her Majesty should choose to represent her in the United States, and I hope that under his auspices the friendly relations between the two countries will be maintained.

PRIVATE BILL COSTS BILL—(No. 31.)

SECOND READING.

Order of the Day for the Second Reading read.

LORD HOUGHTON, in moving that this Bill, which had come from the House of Commons, be now read a second time, said, that its object was to enable Private Bill Committees of the other House to give costs in cases where they thought there had been a vexatious and unwarrantable opposition on the one side or the other. The debateable part of the measure consisted of two clauses. The first of these provided that when a Committee of the House of Commons unanimously reported that the preamble of a Bill was not proved the opponents should be paid the costs of their opposition. He admitted that in this matter legislation came rather late, and that this was a case of shutting the stable door after a great many horses had been stolen. Innumerable vexations had been caused to persons who had been compelled to petition against Private Bills, especially against Railway Bills, and of these hardships no doubt some of their Lordships had been the victims. There was in the House of Commons at the present moment a very strong feeling against allowing a Bill which had once been rejected to go to a second reading—an objection which was recently very strongly manifested in the case of the contest between the Great Northern and Great Eastern Railway Companies. That feeling had, no doubt, mainly arisen from the want of a measure of this kind; because, if this Bill became law, those who introduced vexatious Bills, and put either landowners or companies to expense would themselves be losers. The second clause enacted that when a Committee unanimously reported that opposition had been unfounded the promoters should recover costs. This part of the Bill would require serious consideration in Committee, because it was possible that there might be cases in which private individuals would suffer severely from coming into collision with powerful companies. He did not, however, look upon that as a very immediate danger, because he contemplated that this Bill would act rather by exciting fear and

preventing the evils against which it was directed than by active operation for their remedy. All the questions which would arise were rather matters for discussion in Committee—when it would, he thought, be desirable to insert a clause extending the operation of the Bill to Committees of their Lordships' House—than for debate upon this stage of the measure, and therefore, without further observations, he would move that the Bill should be read a second time.

Moved, "That the Bill be now read 2^a."—(*Lord Houghton.*)

LORD REDESDALE said, that he entirely approved the principle of the Bill, and rejoiced that it had passed through the House of Commons; because in former times the objection which was generally raised to the proposal of such a measure was that it would never receive the sanction of that House. He concurred with the noble Lord who had charge of the Bill in desiring that its operation should be extended to Committees of their Lordships' House, and suggested that another Amendment would also be required. As the measure was now drawn costs could not be recovered from the promoters of a Bill unless the preamble was unanimously rejected by the Committee. That was a reasonable arrangement as far as public companies were concerned; but as private individuals seldom opposed the whole Bill, but only so far as it affected their own property, the same argument did not apply to them. He thought that if a petitioner showed that his rights had been wantonly interfered with and obtained a protecting clause he ought to have his costs.

THE LORD CHANCELLOR said, that he entirely concurred with the noble Chairman of Committees, and he should be happy to communicate with the noble Lord who had moved the second reading of the Bill, and assist him in preparing a clause which should extend the operation of the measure in the manner which had been suggested.

After a few words from Lord HOUGHTON in reply,

Motion *agreed to*: Bill read 2^a accordingly and *committed* to a Committee of the whole House on *Monday* next.

House adjourned at a quarter past
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 23, 1865.

MINUTES.]—Select Committee — On Azeem Jah (Signatures to Petitions) *appointed.*

Report—On Controverted Elections, Francis Charles Hastings Russell esquire., *added* in the room of James Wentworth Buller, esquire, deceased.

Supply—*Considered in Committee*—r.p.

Ways and Means — Resolution [March 22] *reported.*

Public Bills—*Ordered*—Inclosure.

First Reading — Procurators (Scotland) * [87]; Lahore Bishopric * [88]; Inclosure * [89].

Second Reading—East India (Governor General's Powers, &c.) * [76]; East India High Courts * [77]; Local Government Supplemental * [58]; Drainage and Improvement of Lands (Ireland) Provisional Order Confirmation [82].

Select Committee—On Public Offices (Site and Approaches) &c. * [55] and India Office (Site and Approaches * [56] *nominated.*

Committee—Herring Fisheries (Scotland) * [49]; Courts of Justice Concentration (Site) (*re-comm.*) [71] *Debate adjourned.*

Report—Herring Fisheries (Scotland) * [49].

Third Reading—Qualification for Offices Abolition [62], and *passed.*

FLOGGING IN GAOLS.—QUESTION.

Mr. SCULLY said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to certain Returns lately presented to this House, showing that 1,138 persons (not being soldiers or sailors) of various ages from six to sixty-three years, have been recently flogged in England and Wales, receiving from six to fifty lashes, in many instances by the order of only one Magistrate, and frequently for very petty offences or acts of misconduct. And will he explain to the House these three cases, among numerous others of a similar character:—1. The case of a person, aged sixty-three years, who received twelve cuts of a cat for "refusing to work" in the House of Correction at Falkingham. 2. The case of a child, aged six years, who received twelve lashes at Knutsford on the 6th of June, 1864, besides seven days' hard labour, for "stealing one pocket-knife." 3. The case of a child, aged twelve years, sentenced on the 3rd of November, 1863, by the Reverend Algernon Peyton and Thomas Richardson, Esquire, for "stealing three gingerbread cakes," to fourteen days' hard labour, and to receive twelve strokes with a birch rod, which were inflicted on the 11th of November, 1863, in the House of Correction at Wisbeach up to the eighth stroke, when the punishment was stopped by the surgeon in attendance? Does he consider it desirable that one or more country Magistrates should possess the summary power to inflict such ignominious punishments for trivial offences?

Sir GEORGE GREY replied, that he was afraid he could not give any explanation with regard to these cases. As the hon. Member had stated, the Return contained 1,138 cases of flogging, but then it extended over a good many years, since the Acts had been in operation. All he could do was to state the law under which these punishments were inflicted. By far the greater number were inflicted on juvenile offenders under what was known as the Juvenile Offenders' Act 10 & 11 *Vict.* c. 82. Under this Act, boys under fourteen might on summary conviction before two Magistrates be whipped. By another Act, introduced by the hon. Member for Sheffield (Mr. Hadfield), it was provided that the sentence must in every case specify the number of lashes to be inflicted, and the instrument with which it was inflicted, and in the case of boys under fourteen the number of stripes was limited to twelve, and they were only to be administered with a birch rod. By far the greater part of these cases were dealt with by the Magistrates under that Act. There was also a general provision that a sentence by one Police Magistrate should have the force of a sentence by two other Magistrates. Another class of cases was provided for by the 4 *Geo.* IV. c. 64, which enacted that Visiting Justices of a prison, after inquiry on oath in the case of a prisoner sentenced to hard labour, might order the infliction of corporal punishment for repeated prison offences.

Mr. HADFIELD said, he would beg to ask the Secretary of State for the Home Department, Whether any Report is made to Government of all the cases of flogging in prisons, by order of Magistrates, for offences committed out of prison, and also for misconduct in prison, without publicity being given of the offences charged, the evidence in support of the charges, the punishment ordered, the ages of the offenders, the number of lashes inflicted in each case, and other particulars; and, if no such Report is made, whether it is his intention to adopt measures to put an end to secret flogging in prisons without a public trial?

Sir GEORGE GREY: No Report was made upon cases of flogging by sentence of the Magistrates for offences committed out of prison, but an exact record was kept of floggings inflicted for prison offences, and of the circumstances under which they were inflicted, and it was the duty of the Inspector of Prisons to call attention to any cases in which he believed there had been an infraction of the law.

Mr. W. E. FORSTER said, he wished to ask whether the right hon. Gentleman will cause inquiry to be made into the particulars of the second case mentioned by the hon. Member (Mr. Scully), in which twelve lashes were inflicted at Knutsford upon a child six years old?

Sir GEORGE GREY said, he would inquire into that case. At present he knew nothing of the particulars.

Mr. HADFIELD said, he wished to know whether the right hon. Gentleman was aware that ten times more flogging took place in Middlesex than in all Ireland?

CHURCH AT NAZARETH.—QUESTION.

Mr. HANBURY said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether instructions have been given to Her Majesty's Chargé d'Affaires at Constantinople to apply for a Firman, without which the Reverend Mr. Zellar is unable to build a Church at Nazareth?

Mr. LAYARD said, in reply, that instructions had been sent to our Chargé d'Affaires at Constantinople to apply for this Firman. It appeared that the Porte had sent for a Report from the Pasha of the district. The Turkish authorities were waiting for that Report, and he trusted that the Firman would be granted.

THE THAMES AT HAMPTON COURT. QUESTION.

Mr. DAWSON-DAMER said, he would beg to ask the President of the Board of Trade, Whether he is aware that at a short distance below Hampton Court Palace there was last summer hardly four feet of water in the River Thames at the deepest part, and that when the Waterworks near Kingston were pumping the river ceased to flow over the weir at Teddington during the period of such pumping; whether any of the sewage at Kingston flows ultimately into the Thames above Teddington weir; and whether he is aware that there are three Water Companies at Hampton alone, each of which draws off twelve millions of gallons daily, and have power to increase the amount to sixty millions when the increased population shall require it?

Mr. MILNER GIBSON replied, that he was informed that at a short distance below Hampton Court Palace on certain days last summer there was hardly four feet of water in the Thames—not "at the deepest part," but in a shallow part of the river. He was also informed, however, that the river never ceased to flow over the weir at Teddington during the time of the pumping at Kingston Waterworks. With regard to the sewage at Kingston flowing into the Thames, he understood that a very small portion of the sewage had for some years gone into the Thames. An injunction had been obtained from the Vice Chancellor to prevent the drainage from the new system of works at Kingston from being carried into the Thames, and in a short time this would be settled by the Court of Chancery. As to the Water Companies which were said to draw such large quantities of water from the Thames above Teddington, they had exercised their powers under their Acts of Parliament, and all that the Conservancy Board could do was to prevent them from taking more water from the Thames than their Acts of Parliament permitted.

DUKE OF WELLINGTON'S MONUMENT AT ST. PAUL'S.—QUESTION.

Sir MINTO FARQUHAR said, he rose to ask the Chief Commissioner of Works, What progress, if any, has been made towards the completion of the Memorial to the late Duke of Wellington in St. Paul's Cathedral?

Mr. COWPER said, in reply, that Mr. Stephens had not completed the model which he had been commissioned to prepare. He (Mr. Cowper) had addressed frequent remonstrances to him, but he was not able at present to say when the model would be ready.

Sir MINTO FARQUHAR said, he wished to know, whether the period that had elapsed since the death of the Duke of Wellington, in 1852, was not too long to be allowed to pass without some active step being taken towards completing the memorial intended to be raised to the Duke's memory in St. Paul's Cathedral?

Mr. COWPER said, he quite agreed that Mr. Stephens had been very dilatory in the execution of the engagement, which had been made with him no less than six years ago. He could only hope that much more time would not elapse before the commission was executed.

CONSULAR COURTS IN CHINA.

QUESTION.

MR. KINNAIRD said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether it is proposed to take any steps to remedy the evils arising from the Consular Courts in China being the only accessible Courts for the trial of Civil and Criminal as well as the ordinary Police cases; the Consuls not being lawyers by education, and the amount of business having become very large?

MR. LAYARD, in reply, said, measures were in progress for establishing a Consular Court at Shanghai, and to that Consular Court an Assistant Judge and Secretary would be appointed. All the Provincial Consular Courts would be under the jurisdiction of the Court at Shanghai, and, in case of necessity, the Judge would have the power of going on circuit, and appeals would lie from the Provincial Courts to the Court at Shanghai, and thence to the Privy Council.

NEW ZEALAND PRIZE MONEY.

QUESTION.

MR. KEKEWICH said, he would beg to ask the Under Secretary of State for War, Whether the Commanding Officers of the various Corps in New Zealand have preferred any claims to the proceeds arising from the sale of lands captured from the enemy, and whether the Government has any intention of paying them a part of those proceeds as prize money?

THE MARQUESS OF HARTINGTON, in reply, said, it was the fact that some of the troops in New Zealand had applied for a share of the prize money arising from the proceeds of the land captured by the troops; but he was not aware that in any case, under any circumstances, had land captured by military operations been treated as prize money, and therefore it had been intimated that the application in question could not be complied with.

INDIAN ALLOWANCES IN CHINA.

QUESTION.

MR. WALDEGRAVE LESLIE said, he would beg to ask the Under Secretary of State for War, Whether the "Indian Allowances," hitherto made to Her Majesty's troops serving in China are about to be withdrawn?

THE MARQUESS OF HARTINGTON said, in reply, that after the withdrawal of the Indian troops serving in China the Indian allowances, given to the British troops with the view of placing them on the same footing as the Indian troops serving in that country, would be withdrawn, and a new scale of allowances would be fixed suitable to the circumstances of the case.

WYCOMBE POOR LAW UNION.

QUESTION.

MR. FERRAND said, he rose to ask the President of the Poor Law Board, Whether it is true that serious charges have been made against the Master of the Belton School in the Wycombe Union; whether the Poor Law Board do not intend to prosecute him, but have allowed him to escape; whether he would lay upon the table of the House all Correspondence between the Board and the Guardians of the Wycombe Union on the subject, and any other papers that relate thereto, and what steps the Poor Law Board intend to take in the matter?

MR. C. P. VILLIERS said, in reply, that it was true that serious charges had been made against the Master of the Belton School. He had been charged with undue severity against a boy, and there was a charge of indecency to the girls. As soon as it was known at the Poor Law Board an Inspector was sent down to inquire into the matter. The Master at once admitted his fault, and tendered his resignation, which the Inspector accepted, as he was obliged to do, and handed it over to the Guardians. It rested with the Guardians, and not with the Poor Law Board, to prosecute the Master if they thought fit, and nothing which had taken place would prejudice them in doing so. The Poor Law Board, as such, had no authority to prosecute. The Correspondence, with the Report of the Inspector, might, if required, be laid on the table of the House.

TROOPS IN NEW ZEALAND.

QUESTION.

GENERAL PEEL said, he wished to ask the Under Secretary of State for War, Whether any Despatch or Letter was received by the late Mail from New Zealand from General Cameron expressing any opinion as to the propriety of removing from New Zealand any portion of the Troops; and, if so, whether it will be laid on the table of the House with the other Despatches?

THE MARQUESS OF HARTINGTON replied, that General Cameron's last Despatches, in which he alluded to the probable withdrawal of troops from New Zealand, would shortly be laid on the table of the House.

THE BRITISH NORTH AMERICAN COLONIES.—QUESTION.

LORD ROBERT CECIL said, he would beg to ask the Secretary of State for the Colonies, Whether it is the intention of Her Majesty's Government to leave to the several North American Colonies full discretion whether they will or will not join in the new scheme for a Confederation; or whether they intend to ask Parliament to adopt any compulsory measure for enforcing it upon those who may be adverse to it?

MR. CARDWELL said, in reply, that the Government had no other intention on this subject than that which had already been communicated to the House. They had expressed their entire approval of the scheme, and would be ready, if it were adopted by the Provincial Legislatures, to propose the necessary measures with the view of carrying it out.

WAR IN THE UNITED STATES.
QUESTION.

MR. W. EWART said, he wished to ask, Whether it is the intention of the Government to send to the scene of war in the United States any Military or Medical Officers to study and Report on the progress of Military and Medical science as it is exemplified in the war in that Country?

THE MARQUESS OF HARTINGTON said, in reply, that military officers had been sent over from time to time during the progress of the war between the United and Confederate States, but there was only one that he knew of at that moment. There was a British naval Attaché at Washington, and it had been proposed to send out also a military Attaché. The Government of Washington had made no objection to this; but the final decision could not be arrived at till after the meeting of Congress. It having been stated that the Americans thought some reciprocal action on their part necessary, and that they would send to England a military Attaché, for whom a Vote would be required. A medical staff officer had proceeded from Canada to report on medical science as exemplified in the war in America.

HIGHWAYS ACT.—QUESTION.

MR. RICHARD LONG said, he would beg to ask the Secretary of State for the Home Department, Whether it is his intention to introduce any Bill for the amendment of the Highways Act this Session?

SIR GEORGE GREY said, he had no such intention.

CASE OF MARGARET SMITH OR SWANSON.—QUESTION.

MR. WALDEGRAVE LESLIE said, he would beg to ask the Secretary of State for the Home Department, Whether his refusal to comply with the Prayer of a Petition from certain parties in Aberdeen on behalf of Margaret Smith or Swanson, who, in April, 1864, was sentenced to four years' penal servitude for a first offence, and that a case of theft, to which she pleaded guilty—was based on information received from the presiding Judge or other authorities in Scotland; and, if so, whether he will lay upon the table of the House Copies of the Memorial, reply, and all other relative papers?

SIR GEORGE GREY said, in reply, that he had declined to comply with the request of the memorial in question that the sentence might be mitigated; but he had sent the memorial to the Judge, and he had not yet received the Judge's answer.

THE SAFFRON HILL MURDER.
QUESTION.

MR. ROEBUCK said, he rose to ask the Secretary of State for the Home Department, Whether he has seen any necessity for inquiring into the conduct of the Police on the trial of S. Pelizzioni for murder; and, if so, to what conclusion he has come on that subject? He put the question on the part of a very worthy gentleman, Mr. Negretti.

SIR GEORGE GREY replied that he had not found it necessary to institute any inquiry into the conduct of the police, for no facts had been laid before him to warrant an inquiry, but all the circumstances would again be investigated before a Judge and a jury. The facts of the case were well known. Pelizzioni was charged with the murder of a man named Harrington, tried on that charge before Mr. Baron Martin, and found guilty, not on circumstantial evidence, but on the most direct evidence of several witnesses. Mr. Baron Martin, in reporting on that case, expressed his entire concurrence in the verdict, but at the same time stated that, though the facts justified the verdict of murder, the circumstances of the case were such as, in his opinion, did not require that the sentence of the law should be executed, and he suggested that the sentence should be commuted for some minor punishment. The learned Judge, however, added that, as proceedings were to be taken against another man for the same offence, it would be well that any decision on the matter should be suspended until the nature of the evidence in the second case should be ascertained. The other man, Gregorio, was tried before Mr. Justice Byles, and was convicted of manslaughter, and he should have been glad to take that verdict as deciding the case, but by a communication from Mr. Justice Byles he was informed that that verdict was not satisfactory to the Judge. He (Sir George Grey) had thought it right to send the notes of the second trial to Mr. Baron Martin, and to ask his opinion on the whole case. The learned Judge had written a very detailed report of his opinion, and expressed his entire concurrence with Mr. Justice Byles's opinion that the verdict in the second case was not satisfactory; adding that the case required much consideration, as it was one of great importance with regard to the administration of the Criminal Law. Under these circumstances, he had thought it his duty to submit all the papers to the Law Officers of the Crown, and, as there were two other cases in which true bills had been found against Pelizzioni for stabbing, he asked the opinion of the Law Officers whether there was sufficient evidence for putting Pelizzioni on his trial for the minor charge of stabbing, and whether they advised that this course should be taken. Both these questions having been answered in the affirmative, he had directed that Pelizzioni should be put on his trial at the next sessions for the minor charge of stabbing, and he hoped that the trial would have the result of clearing away any doubt on this subject.

ALLOWANCES TO VOLUNTEER SERJEANT INSTRUCTORS.—QUESTION.

Sir GRAHAM MONTGOMERY said, he would beg to ask the Under Secretary of State for War, Why capitation allowances are issued to Volunteer Serjeant Instructors belonging to the Permanent Staff of Corps, and are refused for the Serjeant Instructors attested as belonging to Administrative Battalions, and whether it is intended to continue such a distinction as to those allowances?

The Marquess of HARTINGTON said, in reply, that these allowances were only made in respect of those Volunteers who had made themselves efficient. The sum involved was very small, and it was not the intention of the War Office to propose any change.

COURT OF PROBATE.—QUESTION.

Mr. LOCKE said, he would beg to ask the Secretary to the Treasury, The reason of the delay in completing the necessary arrangements for extending to the Clerks and Officers in the principal Registry of Her Majesty's Court of Probate the system of Classification as adopted in other Departments of Her Majesty's Civil Service, whereby progressive annual increases are made in the salaries of the *employés*?

Mr. PEEL said, in reply, that no arrangement had, as yet, been made. As regarded the salaries of the *employés*, the Treasury was perfectly ready to adopt a progressive scale, but no regulations for the purpose could be of any effect until they had met with the concurrence of the Chief Judge.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY—THE FOOT GUARDS

QUESTIONS.

Sir JOHN TRELAWNY said, he had given notice of two or three Questions which he wished to put to the Under Secretary of State for War, but before doing so he desired to make a few explanatory observations. He held the army might be looked upon as an institution which was improvable, or an institution which was doomed; and he confessed he thought that if something was not speedily done to put it on its proper footing its efficiency would be seriously impaired, and great public dissatisfaction would ensue. He thought that the enormous power concentrated in the office of his grace the Field Marshall Commanding-in-Chief demanded serious consideration. He recollected that in what was called the model year the charge for the army, navy, and ordnance together amounted only to £13,000,000; but at that time we had no Royal Duke at the head of the army. He was not, however, disposed to say that a Royal Duke ought not to hold such a position; but his holding it, with an expenditure for the army of nearly £14,500,000, was a very different thing from the office being filled by a man like the Duke of Wellington, or Lord Hill, when the charge was about £6,000,000 a year. Gentlemen below the gangway were, he was afraid, neglectful of their duty in quietly allowing so vast an amount of patronage to be placed in hands which might not administer it altogether satisfactorily. The authorities responsible for the army had lately abolished the office of the Inspector of Infantry — a most important office, because it was the duty of the person who filled it to get the depôts into a state of efficiency according to the Queen's regulations. It had been found that in many instances when the men of the depôts joined head-quarters they were more perfect in drill and general efficiency than the men and officers at head-quarters. Now, however, the Government had thought proper to ablish the office of the Inspector of Infantry Depôts, the reason, he supposed, being that that officer had made the depôts too perfect for the colonels of regiments. Again, in connection with the important subject as to our power to defend our colonies, it was a great question whether we ought not to have a large force of marine artillery and skilled gunners, instead of some of the troops now under the control of the Duke of Cambridge. The first Question of which he had given notice was, Whether any inconvenience would result from abolishing the grades (as they become vacant) of Lieutenant Colonels of the three regiments of Foot Guards? The three regiments of Foot Guards consisted of seven battalions; they were called, in the aggregate, a Division, and were under the command of one officer, a Major General; but each regiment was under a Lieutenant Colonel, who was to all intents and purposes a Brigadier. Each battalion was commanded by a mounted officer called a Major of the Guards, holding an army rank of Lieutenant Colonel, and the office of regimental Lieutenant Colonel was useless. At present, matters of detail must go through the office of Lieutenant Colonel, causing great delay and confusion, and preventing the exercise of the promptness and decision essential to the proper control of a regiment. In the opinion of many experienced officers, the offices of the Lieutenant Colonels of the Foot Guards ought to be abolished. He would have them abolished as they fell vacant, as he did not wish to touch vested interests. His second Question was, Whether it was for the advantage of the service that Captains of Companies in the Foot Guards should rank as Lieutenant Colonels; and whether it would not be for their advantage, as well as for the interests of the service, that they should reside in barracks, near the men under their charge? There were something like seventy or more of these officers of the Foot Guards (he had heard them calculated to be eighty-seven) who ranked as Lieutenant Colonels. He thought they should not hold the army rank of Lieutenant Colonel, but should be like other Captains. He believed it sometimes happened in the presence of the enemy that, owing to the loss of a Colonel, the command of a corps might fall to a very young person, because he had rank as a Lieutenant Colonel in virtue of being Captain of a Company in the Guards; while an old Major of the line who had seen service in all parts of the world was superseded. The officers of the Foot Guards were not obliged to reside in immediate contact with the barracks of the men; and he was told that a great deal of labour connected with the practical administration of the Guards devolved on the Serjeants. The last Question he had to put was, Whether Colonelcies of regiments should not be given to General Officers in rotation, according to seniority, exceptions being made in favour of officers who have particularly distinguished themselves in war? This was not a question which related to the Guards alone; it concerned the army generally. He believed it would be more satisfactory to the army and to the country if these lucrative appointments were given according to seniority, unless where officers had greatly distinguished themselves in the field. These were the Questions he had to put, and which he had thought it his duty shortly to explain. He hoped the noble Lord the Under Secretary for War would be able to give him a satisfactory answer.

The Marquess of HARTINGTON said, he would answer the questions of the hon. Baronet as shortly as possible. First, with regard to the office of the Inspector General of Infantry, he could only repeat what he stated the other day ; the cause of the abolition was that the reduction of the number of depôt battalions had been so considerable that a very great part of his duties had been done away with, and it was not considered that those which remained were sufficient to warrant the retention of the office. It was considered that the depôt battalions which remained would be equally well administered by the General in whose district they were. The abolition of the office was not owing to any dissatisfaction with the manner in which the duties of the office had been performed by the officers who lately held the appointment, but simply because since the reduction of the depôt battalions there was not sufficient occupation for such an officer. With regard to the second Question as to Colonels of the regiments of Guards, he could only repeat what he said the other evening—although the brigade of Guards consisted of seven battalions, yet it did not in reality constitute a Division under the command of a Major General. The present system worked admirably, and he should be sorry to see it altered. With respect to the rank of Guards' officers the hon. Baronet and the House were aware that the privileges in point of rank of Guards' officers dated almost from time immemorial, and he believed it was of great advantage that it should be. It was generally recognized by the army that there should be a privileged corps in the position of the Guards to whom was especially intrusted the protection of the Sovereign, and who were also to be the first troops sent on foreign service in any great emergency. He did not believe that any great dissatisfaction had ever been expressed by the army at the exclusive privileges possessed by the Guards, nor did he ever hear that any practical inconvenience had ever resulted on active service from the youth of the field officers. With respect to the residence of officers in barracks he did not think any change would be an improvement. The non-commissioned officers of the Guards were a most excellent and most exemplary class of men ; and officers residing as they did within reach of their men, and leaving part of their duties to non-commissioned officers, were practically responsible, and left nothing to be desired. With regard to the last Question he could only say that the rule laid down in regard to the promotions referred to was pretty much that which the hon. Baronet seemed to wish. The rule observed was practically this—the colonelcies of regiments were generally given according to seniority ; but two exceptions were made—first, an exception in favour of officers who had performed distinguished service, and secondly, an exception against those officers who had not had the opportunity of seeing active service. He did not mean to say that the latter never got their regiment ; but the officer who had had the opportunity of distinguishing himself in service was promoted much earlier than he would otherwise have been, while the officer who had been so unfortunate as not to have had that opportunity was passed over for some time. The rule, as stated, had, he believed, given satisfaction to the army, and he did not think it would be for the advantage of the service that any other rule should be laid down than was in force.

THE LOCK OUT IN THE IRON TRADE.

OBSERVATIONS.

Mr. HENNESSY rose to call the attention of the Home Secretary to a case which had just occurred of very unusual importance. He thought the present combination in the iron districts demanded the attention of the Government as well as of the House. He would preface the observations he had to make by quoting a short passage from Adam Smith, who, speaking of strikes, said—

> "Masters are always and everywhere in a sort of tacit but constant and uniform combination not to raise the wages of labour above their actual rate. Masters, too, sometimes enter into particular combinations to keep the wages of labour even below this rate. Such combinations, however, are frequently resisted by a contrary defensive combination of the workmen."

That general sentence exactly covered the present case. The first step was, the masters combined to sink the rate of wages; and, as a defensive measure, the workmen in a certain district—namely, North Staffordshire, combined against the masters. He offered no opinion as to the conduct of either masters or men in Staffordshire, but that was the first step in this lock-out. When the masters and workmen were thus opposed to each other, the manufactories were closed, and both parties suffered. One consequence to both was that the masters, as was well known, received from the masters in other districts such accommodation as they required at the banks; while the men, on the other hand, received aid from the working men in other districts. So far this occurrence was a usual one. Thus the ordinary conflict of labour and capital was kept going on. But the masters in South Staffordshire and other districts had taken this unusual course—they determined to have a lock-out to enforce on the working men in their employment some compulsory rules and regulations with the view of compelling these workmen to use their utmost exertions to induce those in North Staffordshire to return to their work. That step was perfectly unusual; and what had happened? In the towns of Staffordshire and other large districts where the lock-out had taken place he had just heard from a good authority in that House that there were not fewer than 150,000 persons, including the families of the labourers, who were now suffering from this lock-out. What had the workmen done? Meetings had been held. At Middlesborough this resolution was proposed by Mr. M'Carthy—

> "That we get up a requisition and present it to the Mayor, requesting him to convene a public meeting at his earliest convenience to take into consideration the best means of supporting the 5,609 men who are locked out at present; and that this association pledges itself to refuse any aid to any person or persons who, by any riotous conduct, shall place person or property in danger, or otherwise commit a breach of the peace; and the like person or persons shall be liable to forfeit any benefit from the association hereafter."

That resolution showed what the conduct of the men had been, and that conduct they had pursued up to the present time. A meeting was held last night in the metropolis on this subject by the Trades' Unions, and a good deal of light had been thrown upon the dispute by the statements made there by persons in the confidence of the men. He would ask the attention of the House to what was said by the chairman of that meeting, Mr. Potter, who told them in a few words what was precisely the present position of this conflict. He said—

> "Now, the Brierley Hill Executive had some weeks ago declared their opinion that the North Staffordshire men should resume work, and, if they refused to do so, the executive would cease to subscribe towards their support. The North Staffordshire men did refuse, and the Brierley Hill Executive abided by their decision. The Gateshead Executive had also assured the masters that they would not support the North Staffordshire men, and the Millmen's Association, who had never sanctioned the strike, would not now, of course, support them."

We thus find that those who represented the working men had, in the form of resolutions and recommendations at public meetings, counselled them over and over again for some weeks past to return to their work; but, notwithstanding that, the lock-out had been continued in the districts of South Staffordshire by the masters, for the purpose not only of punishing the workmen who were not willing to work at the rates of wages proposed, but to punish workmen in other parts of England. The lock-out was most unfortunate, and he would venture to say that it was also illegal. He believed that the conduct of the masters was not only morally unjust and improper, but was also a violation of the law of the land. The masters were fairly entitled, as Adam Smith had said, to combine to reduce the rate of wages if they wished, and the workmen were equally entitled to combine for the purpose of obtaining a higher rate of wages; but the law said that in no case could either masters or workmen combine for the purpose of injuring masters and workmen elsewhere. Now, the South Staffordshire masters had combined and locked out their workmen, not because these workmen were doing anything which could be objected to, but for the purpose of inflicting an injury upon the workmen in another part of England. He trusted Her Majesty's Government would be able to give the House some assurance that, looking to the moderate tone which the workmen had taken and which they still maintained, there was some likelihood of that arbitration being accepted which the workmen had asked for frequently, but which the masters had refused, and which every Gentleman in that House would like to see adopted.

SIR GEORGE GREY: I was not at all aware that the hon. and learned Gentleman intended to raise this Question in the House to-night, having only given notice on a former evening of a Question which he would then have answered had it been put. He regretted that the hon. and learned Gentleman had now entered into a statement of facts connected with the unfortunate differences which existed between the masters and the men, and he hoped the House would not assume they were undisputed and not open to any answer. In any discussion which might take place he would remind the House that it was necessary that every word should be carefully weighed in order not to widen the present unhappy differences which existed between the employers and the workmen, and prevent that agreement between them which every one must wish to see re-established as speedily as possible. The hon. and learned Gentleman gave notice the other night of a Question, the object of which was to ascertain whether the Government had received any official information upon the subject of the lock-out, and whether it was prepared to take any steps with reference to the distress among a large class of persons occasioned by that proceeding. The only official information the Government have received with reference to this subject is contained in two letters from the Chief Constable of Staffordshire. Without expressing any opinion upon the conduct of any party, he said in the first letter that there was at the time it was written about 60,000 men out of employment in North and South Staffordshire, and that their conduct had been orderly and peaceable. The second letter stated that things remained in the same state, and that the writer (the Chief Constable) was in constant communication with the Lord Lieutenant of the county on the subject. It is of the utmost importance, as I have already said, that every word spoken upon this matter should be carefully weighed, in order to avoid anything which could tend to widen the breach between the masters and their workmen in this branch of industry. Judging from what I read upon this subject in the newspapers, I think there is a hope of the parties agreeing upon some terms in a short time which will put an end to the strike and the lock out, and I trust that nothing will be said here which will have the effect of delaying that desirable result. I can only say, on the part of the Government, that we deeply regret the existence of these differences, which, whatever may be their origin, cause great distress not only to the parties primarily concerned, but also to a very large number of persons who are not in the slightest degree responsible for what has occured, but who are directly or indirectly dependent for their livelihood on the works which are now stopped. Her Majesty's Government have no power to interfere, except by way of advice, unless a breach of the law should take place. No breach of the law has, I am happy to say, taken place. If there was the slightest prospect that the advice of the Government would bring the matter to a satisfactory and early termination, they would readily offer it; but there is no reason to believe that any interference on their part would be acceptable to either party or have any beneficial effect. I think, however, that I see in the newspapers indications of a wish on the part of the masters and men to submit these diffierences to arbitration. And if the parties will select some competent and impartial persons, and are willing, to submit these matters to their arbitration I sincerely hope the dispute may be brought to a speedy conclusion. I hope that neither the discussion which may follow, nor anything that has been already said — I am sure there has been no such intention— will in any degree affect such a termination of the dispute. From all the information I have upon the subject I have reason to believe that the conduct of the men out of employment has hitherto been marked by a total absence of any acts of violence.

Motion, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

THE MARQUESS OF HARTINGTON, in rising to move the Vote of £811,400, for superintending establishment of, and expenditure for, works, buildings, and repairs at home and abroad, said: Sir, I will not interpose long between the Committee and the speech of my hon. Friend the Member for West Norfolk (Mr. Bentinck) who proposes to reduce this Vote by the sum of £50,000, the amount asked for towards the improvement of the defences of Quebec; but as I have not yet said anything in explanation of the policy of the Government for the defence of Canada, and as the recent debate turned rather more on the general question of our relations with the United States than on the details of this plan, it may be convenient to the Committee if I state as shortly as I can what is the plan and what are the views of

Her Majesty's Government with respect to the defences of Canada. I trust I may be permitted, in the first place, to express a hope that the House will to-night discuss this question upon its merits solely, and not again enter into the consideration of the possibility or the probability of hostilities with the United States. I do not feel called upon to express any opinion as to the wisdom and prudence of entering on discussions of that sort. It might, perhaps, be better that we should, on both sides of the Atlantic, frankly state what our fears and apprehensions of each other are, and it is possible the very discussion of the differences between us and our suspicions of each other might tend rather to improve our relations; but, on the other hand, I should be inclined to fear that words inadvertently uttered in the heat of debate might tend to excite suspicions and anxieties which do not now exist, and be productive of those very dangers which we are anxious to avert. Whatever may be the opinion of the House upon this point, there is one thing which I feel sure is not necessarily mixed up with this question of the defences of Canada—that is our relations with the United States. The real facts of the case are these. Four years ago our North American provinces had upon their borders a very great nation—not then a great military nation, because the United States had the smallest standing army, perhaps, of any nation in the world ; the people were the least turned to military matters, and their greatest public men devoted themselves to the pursuits of peace and eschewed those of war. Unfortunately, however, the United States have become a great military nation, and have command of armies as large, if not larger, as any which can be wielded by the great Powers of Europe ; and at the head of these armies are Generals as able as any we know of. Although our North American Colonies cannot compete with the United States either in size or commercial prosperity, yet they are, it must be admitted, a great nation, and are on the high road to be a still greater nation. These colonies profess a wish to remain independent and distinct from their great neighbours, the United States ; and they also profess, in the most unmistakable language, their desire to maintain their connection with this country. If such are their wishes, it seems to me that it is not strange that they should desire to place themselves in such a position as not to be dependent upon the forbearance of their great neighbours, however long they might imagine that forbearance might be extended. It seems to be only worthy the position of our North American Colonies, and only worthy our position, so long as they belong to us, that we should do what we can to place their borders in a state of defence. Without the slightest expectation of the Government of the United States meditating any attack upon our Canadian Provinces, I do not see why we should not do what all continental nations do—namely, erect such works as are necessary for the protection of their frontier. Now, a good deal has been said about the great length of the Canadian frontier; but upon that point I need hardly say more than that it was never intended or contemplated by Her Majesty's Government to maintain that frontier intact. Not only would an attempt of that kind prove impracticable in the case of Canada but it must always be impracticable in the case of all continental nations having a large frontier, and exposed to the attack of a formidable neighbour. What great nation is there in Europe, for instance, which is able to prevent an enemy from invading its frontiers, and that not at one but at many places ? All that they can and do do is to fortify the most vital points, and to trust for the expulsion of the enemy to such further operations as may from time to time be judged expedient. That is just what we propose to do for Canada—to erect fortifications at four or five points that are essential for the protection of the country. If Canada be invaded by the United States or any other enemy, the invasion must either be made with one of two objects—either with the object of permanently annexing the country or of inflicting upon our arms humiliation and defeat. If the object be the permanent annexation of the country, that can only be accomplished by the conquest of the whole country, and more especially by the reduction of the most important points. It can certainly never be attained by overrunning the country, though operations of that character may be very largely extended. Above all, to insure the annexation of Canada, it is necessary that the enemy should possess himself of the line of the River St. Lawrence, the great artery of the country, and the great means of communication, not only between province and province, but between the provinces and the rest of the world. He must also possess himself of the points which command the navigation of that river—namely, Montreal and Quebec. If we, therefore, can place the line of the St. Lawrence and these two points which command its navigation in such a state of defence as to enable the Canadians to resist the attack of an enemy, it is reasonable to suppose that, if the object of the enemy be annexation, he will first of all endeavour to ascertain his chances of success at those points. Unless he can see a prospect of succeeding in those directions he will hardly think it worth while to incur the expense and the loss of so large a number of men as must necessarily follow a hopeless attempt. It seems to us, therefore, that by insuring the efficient protection of these places, we are really providing for the protection of the whole of Canada; and so, it may be, that no enemy would think it worth while even to attempt to invade it. If, on the other hand, the object of his attack be the defeat of our arms, it is obvious that the construction of proper works of defence will enable our troops, assisted by the Canadian militia, to make a successful resistance against very superior forces, and even if overcome by superior forces, the fortifications, accompanied by the command of the St. Lawrence, will always enable our troops to embark in safety. The plan recommended by the Government for the defence of Canada entirely depends upon our maintaining our naval superiority on the St. Lawrence. I will not now enter into the conditions which are necessary for the preservation of that superiority. That is a question which comes more particularly within the province assigned to my noble Friend the Secretary for the Admiralty than that of the War Office; but I think it not an unreasonable condition in this country to hope that we shall, in case of a war even with a country possessed of so powerful a navy as the United States, be able to maintain our naval superiority on the St. Lawrence. The first point at which we propose to erect fortifications, and the only place for which the House of Commons is now asked to vote any money, is Quebec. As the House is aware, Quebec is already strongly fortified, and is, I believe, really a place of strength, except that, like a great many other places formerly regarded as being beyond the reach of cannon, it is now exposed to the bombardment of cannon of long range. As was pointed out by the right hon. Gentleman the Member for Calne (Mr. Lowe) the other evening, the fortifications of Quebec can be bombarded and the town shelled from Point Levi, on the south side of the River St. Lawrence. It is on that very point that the Government propose to spend nearly all the money which the House of Commons is asked to vote. It is proposed to form detached works which will be connected by a military road, and will form a sort of intrenched camp, partially protected by our gunboats on the river, and so long as we maintain the command of the river it will be impossible for an enemy to invade Canada at that point. A small portion of the sum asked for will be expended upon the improvement of the existing works at Quebec, replacing those that are in a dilapidated state and making the whole adequate to the requirements of the present day. The attack, however, from Point Levi is the only attack which it is considered the United States could make, and therefore the only point upon which it is thought necessary to spend any large sum of money. The works will in a great degree resemble the land defences which have recently been constructed in this country. At Montreal, too, the defences will be of a somewhat similar character. It is proposed to form a series of works, forming an intrenched camp, on the south side of the River St. Lawrence—works which will prevent the enemy from making an attack upon Montreal by means of the Victoria Bridge, and also prevent his approach to any point from which he could command the town with his artillery. It is expected that the Canadian Government will undertake the defence of this place themselves; and that, as far as the protection of the River St. Lawrence is concerned, the expense incurred by the Imperial Government will be confined to the defence of Quebec and to maintaining the necessary naval force upon the river. There are other smaller works proposed in the neighbourhood of Montreal, but it will be unnecessary for me to take up the time of the Committee by describing them. The principal feature of the defences are the fortifications of Quebec and Montreal.

An expression frequently made use of in discussions on the subject of fortifications in this House is, that our troops would be cooped up behind earthworks. The object of those fortifications is undoubtedly, to a certain extent, to enable a comparatively small number of our forces to resist the attack of a much larger body; but the main object of their construction is not so much the protection of our troops as the protection of those points, the preservation of which is considered essential to our interests; and I have already said that in my opinion it would not be worth an enemy's while to attack Canada unless there were a probability of his succeeding at these points. In addition to the purposes which I have enumerated, behind these works can be collected not only our own troops, and the volunteers and militia may have been already enrolled, but the whole people of the country can, if so disposed, rally within them to arrest the invader, and the whole body of the people can collect behind them, and there be drilled and organized as far as the time at command will permit. I have described the nature of the works which we propose to erect. It is said that no works that we can construct can hold out against a large force, and that our troops, aided by every assistance they can receive from the Canadian militia, will not be able to hold these works against the forces which the United States would be able to bring against them. Now, I believe that works of the nature such as I have described could be made capable of holding out, if not for ever, at least for an almost indefinite period, because it must be recollected that the capability of defending such fortifications depends upon the question whether they be completely invested or not. If we have a naval superiority upon the river it is impossible that these works should be completely invested. Therefore, I maintain that such works as we purpose could be held for a long time against a superior force. Further, I believe that it will be impossible for any army to carry on military operations in Canada on a large scale for more than six months of the year. It is quite true that various opinions have been expressed upon that point; and reference has been made to the campaign of General Montgomery, in which during a rigorous winter he made an attack upon Quebec. Now, the history of that campaign seems to me to be rather an argument in favour of our views than otherwise. It is true that General Montgomery did with a small force march across the country in the winter, and did make a sudden attack upon Quebec; but will the House allow me to quote a passage from Sir James Carmichael's *Précis of the Wars in Canada?* They will find that any attack upon Quebec was not in those days a very formidable operation, and they will also learn what was the result of attempting such an operation in the middle of winter. In the book I have referred to I find this passage—

> "The garrison of Quebec consisted of only one company, to these were added the seamen and marines of a sloop of war and the inhabitants of the town. The latter, both French and English, were armed, formed into companies, and showed great zeal and alacrity at this important crisis. Governor Carleton, in all, had about 1,600 bayonets. The season and the want of heavy artillery prevented the Americans from making any impression upon the defences of Quebec. It was evident that the former would not permit them to remain much longer in their situation. Governor Carleton had refused to receive a flag of truce or to enter into any sort of negotiation with them. It was, therefore, necessary either to retire or to get possession of Quebec by an escalade."

The House knows the result of the attempt. General Montgomery was killed, and his troops retired in confusion. That very event, which is used by some persons to prove that siege operations in Canada can be carried on in winter, seems to me to prove the very reverse. Quebec was defended only by a small force, with only one company of regular troops; but General Montgomery, with a superior force, was prevented by the severity of the weather from undertaking any siege operations, and was therefore compelled to make a rash and almost hopeless attempt to take the place by assault, in which he failed. The opinion of the Canadians themselves upon this point is worthy of our consideration. I have lately received a speech delivered in the Legislative Assembly of Canada by a gentleman who is well known to many Members of this House who have been in Canada. I refer to Mr. Rose, who, although not now a member of the Government, has held office in that country. That gentleman is Member for the City of Montreal, he knows that country well, and he also has visited the American armies and knows what operations they are capable of. Mr. Rose says—

> "Hon. Members must remember that it is impossible to have more than a six months' campaign in this country. And supposing you were to erect works before which an enemy was compelled to sit down in the month of May, it would take him fully three months before he could bring up his supplies and siege train and protect his communications, and by the time he was ready to make a determined attack he would be overtaken by winter, be compelled to raise the siege and to go into winter quarters. In truth, our winters are our safeguard and defence."

He goes on to say—

> "If, therefore, we can only by manning certain salient points in the country prevent the progress of invasion we are safe."

While I am quoting from Mr. Rose's speech I should wish to add one more extract to show what is the opinion of the representative of a most important constituency, and what is the feeling in Canada as to those defences. Mr. Rose says—

> "I am sure that no Member of this House, no man in this country, would hesitate, if need were, to put his hand into his pocket and give a tenth of his substance for the construction of the works required to protect the country from the ravages of the aggressor, and to secure to ourselves the inestimable blessings derived from living under the British flag."

That is the opinion of a man whose judgment is well entitled to have weight with this House. Then as to the fact I have mentioned, that military operations on a large scale cannot be carried on in Canada during the winter, that is admitted by the Americans themselves. I do not deny that small bodies of troops may be marched from one point to another. I do not even deny that an enemy might remain in huts in front of works; but I do deny that during a severe Canadian winter an enemy could make any progress against such works as we propose to construct.

Another point which has been alluded to is the possibility of our providing a sufficient number of troops to man these works. The calculation which I am about to read is, of course, a rough one, but I believe it to be sufficiently accurate for the purposes of the discussion. It is considered that the number of men that would be required for the defence of works at Quebec and Montreal would be about 12,000. That is the number that would be sufficient for garrisons; but in case the attack was fully developed it would be desirable to have at least 35,000 men. There should, further, be a movable force of 20,000 or 25,000 men to harass the enemy whenever opportunities should arise. The total force that would be required for the defence of the lower St. Lawrence to Montreal would be 60,000 men. That is not a force which we need despair of getting for the defence of these works. We could easily send out from this country 20,000 troops. There are already 20,000 Volunteers enrolled and organized in Canada, and preparations are made to raise 80,000 militia. Those men are already designated, and under the law of the country are required to turn out when called upon. As the Committee knows, a sum of money has been voted for the organization of the militia; the officers have, to a considerable extent, been drilled, and the Canadian Government has now applied to us to send them officers to assist in organizing the militia force of 80,000.

I have now stated what are the works we propose for the defence of the lower St. Lawrence. I admit that it is quite possible that the inhabitants of the Western Province of Canada may consider that this scheme does not provide sufficiently for their defence. They may wish very naturally that some measure should be taken to prevent an enemy from occupying and overrunning those Western Provinces, even though they could not maintain the occupation. I admit that it is possible they may hold that view, and I think very fairly; and Colonel Jervois has prepared a scheme for the defence of the Western Province of Canada, as well as for the defence of the Lower Province. I believe the scheme to be perfectly practicable, but, of course, it involves a greater expenditure, and requires a larger force of men. I have stated that we consider that, if once we can put in a proper state of defence the line of the lower St. Lawrence, it will not be worth while for an enemy to invade Canada. That is the view of Her Majesty's Government; but, of course, it is a question for the Canadian Government to consider whether they will take the additional measures of defence which are indicated to them for the other provinces. I believe they have only postponed the consideration of their further plans until the project for a Confederation has been accomplished, as it has not been thought right to pledge the future Confederation to a larger outlay than might ultimately be found to be necessary. Until the Canadian Government have announced their intentions upon the subject of the defence of Western Canada, it is not necessary that I should enter into any detailed explanation of the plans proposed to that end. I believe, however, that it is a rational and practicable plan—one that would neither involve any very large amount of money for the construction of the works, nor require any very large force for their defence in time of war.

I will only further detain the Committee by briefly alluding to other plans that have been suggested for the defence of Canada. I need say nothing of the views of those hon. Gentlemen who think that it is impossible to defend Canada, and that therefore it is impolitic to take any steps with that object in view. Those Gentlemen adopt a very intelligible line of argument. They say the only source of danger to Canada arises from her connection with this country. They add that this country is powerless to defend Canada in time of war, and therefore it is better we should say to the Canadians in time of peace, "We cannot undertake your defence, but we will relieve you of the danger which arises from your connection with us, and we advise you to keep on good terms with the United States, and not to provoke hostilities with that country." That is an intelligible line of argument; and if the Committee think that the allegations upon which it is based are true, then I hope it will at once say so, and will not wait to declare its opinions until we have induced the Canadians to spend a large amount of money, and to raise a large body of men. But there are other hon. Members who do not wish to abandon Canada, and who say that the measures we propose for the defence of the country are not such as they approve. They say that the best mode of defending Canada is not to defend her frontiers or any particular points, but rather to withdraw all our troops from the country and trust to our own powers of aggression upon the enemy's frontiers to make him loosen his hold upon Canada, to relinquish any attempt at invasion, and to restore any territory which he may already have captured. Well, that would be a very plausible argument if those who use it could show what points in the United States are so vulnerable as to admit of our attacking them with a fair prospect of success. It is well known to the House that for several years past the Americans have been busily employed in fortifying their most vulnerable points; they have erected fortifications at all their great harbours and at the mouths of all their great rivers; and even supposing that our navy could make an attack on those harbours and land 40,000 or 50,000 men, would it not be in the power of the United States, possessing such an army as they do now, to send 100,000 or 150,000 men into Canada, against whom no resistance could be made, if its frontier is left unfortified? And we know that at the conclusion of a war to call upon one of the belligerents to give up a territory which he has completely occupied is a different thing from calling upon him to give up a territory which he has only partly overrun. On the whole, I submit that the advocates of the other system have got to show much more clearly than they have shown yet where those weak points are to be found by an attack upon which, with a smaller expenditure of money and with fewer men, we should be able to defend Canada in case of emergency. I believe that the majority of this House and the majority of the country do not agree with those who wish to give up our connection with Canada, or with those who wish to defend Canada by refusing to fortify the Canadian territory. I hope that the proposition of the Government will be fully and calmly considered to-night. If it be so considered, I think the opinion of the House will be that the proposal is a reasonable one, affording every prospect of success, and calculated to meet with the approval both of the Canadians and the people of this country.

Motion made, and Question proposed,

"That a sum, not exceeding £811,400 be granted to Her Majesty, to defray the Charge of the Superintending Establishment of, and Expenditure for Works, Buildings, and repairs at Home, and Abroad, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."

Mr. BENTINCK, in moving the Amendment of which he had given notice, that the Item of £50,000 for the Improvement of the Defences at Quebec be omitted from the proposed Vote, said, he should discuss the question in the spirit in which his noble Friend the Under Secretary for War had asked him to discuss it, and would abstain from referring to the probabilities of a war between this country and the United States. He fully admitted, and he appreciated what he believed to be the feeling of the country, that Great Britain was bound to maintain at any cost the integrity of the Canadian territory; and it was in no opposition to that view that he was about to make his remarks. He wished to observe, also, that except in one particular, to which he should presently allude, he thought that the Report of Colonel Jervois, who bore the highest reputation as a military man, was worthy of the credence of Parliament and the country; but the view he took of the subject placed it far beyond any question of military detail. He was desirous of saying, likewise, that he had no wish to embarrass Her Majesty's Government in the conduct of what must be a most difficult and delicate affair. Nor could he be held guilty of raising the question of the probability or the possibility of hostilities between the United States and this country, because the Vote before the Committee raised it, and he could not discuss the Vote without considering the question so raised ; but he would take care that nothing should fall from him calculated to excite a feeling of hostility in that quarter. His first ground and objection to the item for the improvement of the defences of Canada was that, in the unfortunate event of a war between this country and the United States, this was not the right mode of defending the Canadian provinces. As he had stated on a former occasion, if we were to defend Canada at all, it could only be done by sea. Any attempt to defend Canada by land would be only a waste of men and money. He stated his views on this subject when the Navy Estimates were before the House, but he had not said that if a war should arise between England and the United States we should put a stop to it by starving those States. What he stated then and what he now repeated was, that a war between two great countries, more especially countries like the United States and Great Britain, never could be brought to a termination by one or two great battles, but must be brought to an end by the financial or commercial exhaustion of one or other of the belligerents. He maintained that history bore him out in his view. As to the particular argument in the Report of Colonel Jervois, which was adopted by his noble Friend (the Marquess of Hartington), but from which he dissented, he thought he again had history in his favour, and that it was against the view of Colonel Jervois and his noble Friend. The gallant Colonel said that in the place of which he was writing, military operations could only be conducted during six months of the year, and that if we could erect and maintain such defences as would protect that portion of Canada against invasion for six months, for the other six months our labours were at an end. Now, he begged to deny that the passage which had been quoted, describing General Montgomery's attack upon Quebec, afforded any proof whatever that a winter campaign could not be carried on in that country. He went further, and asserted that it afforded indubitable proof that it could be carried on. If his noble Friend had read a little further, he would have seen that the failure of the attempt was to be attributed to a chance shot being fired down the street, which killed the general of the invading army. They should recollect that whatever facilities might have existed for carrying on a winter campaign in 1775 were vastly increased now by the opening of railways, which were available all the year through. In fact, the difficulties of a winter campaign were to a great extent done away with. They ought also to recollect that an invasion from the United States now, instead of being carried on by armies of 20,000 men, would be carried on by armies of 100,000 or 200,000 men. That which was possible in 1775 could be done now with the greatest facility, and his noble Friend was greatly mistaken, therefore, in assuming that there would be six months' respite in the war. But not only was Quebec not exempt from attack during six months in the year, but there were six months in the year, on the contrary, when, fighting as we should be under the enormous difficulty of having to carry our reinforcements and supplies across the Atlantic, it would be impossible for us to throw reinforcements and supplies into Quebec. That appeared to him the strongest argument against an attempt to erect defensive works on the Canadian frontier. Such an attempt would only end in a complete waste of money, without having any effect on the ultimate result of the war. But his second ground of objection was stronger than the first. Assuming, for the sake of argument, that the proposed mode of proceeding was the correct one, were we going to work in the right way to carry out that suggestion? He believed not. His noble Friend (the Marquess of Hartington) asked for £50,000 for commencing the defensive works in Canada, and no doubt he would tell them in the course of the discussion that he had asked for all which could be spent in one year. If that were the case nothing would tend to show the utter hopelessness and absurdity of the proposal more than the fact that, owing to circumstances, they could only lay out £50,000 in the first year, and that it would take two or three years before the plan could be carried out. Certainly if ever the contingency of a war with the Northern States of America did arise they would hardly be kind enough to wait until our system of fortifications was complete. If ever that unfortunate contingency should arise it would as likely arise in three or four months as in three or four years. Was it not, then, absurd to come down to the House and ask for money to commence works which might take three or four years to complete, and which were intended to meet a contingency as likely to occur within four months as four years? The whole scheme was utterly unworthy of the consent of Parliament. He objected, too, to the works, not only because they were inadequate to the defence of the Canadian frontier, but because they were likely to be a source of irritation in the Northern States. They were a great deal more likely to precipitate hostilities than to avert them. If the Government really thought that it was necessary to take steps for the defence of the Canadian frontier, and if the House agreed in that opinion, he should be the last man to throw obstacles in the way; but he contended that it was most unbusinesslike to come down and ask for money which was to be spent in driblets, and was more likely than anything to create the emergency which was deprecated. Assuming, however, that his noble Friend was perfectly correct in his suggestions, and that the plan he proposed was founded on the best information and ought to be adopted, then after all it was only a portion of the scheme for the defence of the frontier. It must, therefore, be understood that the Government contemplated adding to these fortifications in future years. Fortifications without men were of little use, and it was to be presumed that the Government had considered this question of manning these fortifications. His noble Friend had told them that 60,000 men would be required for the defence of the frontier, and that we were to give from 10,000 to 20,000. He should wish, first of all, to be informed by his noble Friend where these 10,000 or 20,000 men were to come from. It had been stated in the House, and the Government had not contradicted it, that we had not sufficient troops to furnish the requisite reliefs for the colonies, and that the difficulty would be increased greatly in a couple of years, when the regiments sent to India for the mutiny would have to be brought home. If these men were kept in India beyond their proper time, the Government would be guilty of the murder of every soldier who should die in that country. Moreover, the Government had given no denial to the assertion that we were several battalions short of the number of men voted. Where, then, were these 10,000 or 20,000 men to come from? Then we were told that this was to be a joint scheme of defence between the mother country and the colony. He wanted to know whether, if this scheme were adopted, there was any agreement which would bind the colonists to carry out their portion of it—because, according to the Report of Colonel Jervois, a very large sum would be required to do that. Was the colony willing to construct the forts required, and to go to the expense of raising and keeping in an efficient condition the number of men that would be necessary to garrison them, and also a sufficient standing army? These were points which the Government ought to clear up. He came now to what, in his opinion, was the most important part of the case. His noble Friend had said that this country hoped to maintain her naval superiority. They all hoped that. But in the Report with which Colonel Jervois had furnished the Government, and which he believed was the foundation of the present scheme, that officer in summing up his plans of defence had stated that the most important part was the keeping the command of the rivers and lakes by means of iron-clad gunboats. That statement of Colonel Jervois had been accepted by the noble Lord, and it was admitted on all hands that those iron-clad gunboats, and a number of them sufficient to cover the whole River St. Lawrence upwards to the further part of the Lakes, were indispensable. When the House was asked to vote a sum of money for the commencement of a scheme of this character, assuredly they ought to have some information as to how they were to provide for the most essential part of the design. We did not possess at this moment such a thing as an iron-clad gunboat. There were old wooden gunboats rotting in the yards since the time of the Crimean war; but the Government, acting on the plan of doing everything at the last moment, had neglected to provide iron-clad gunboats. Colonel Jervois, however, had distinctly stated that they must have such gunboats, and of a superior description. Now, the Committee had a right to demand an answer from Her Majesty's Government as to where these gunboats were to come from, and whether any preparations were being made for their construction. Was his noble Friend the Secretary to the Admiralty, after the Chancellor of the Exchequer had slipped his Budget through the House with the greatest rapidity, to come down and ask a sum of money for the construction of these gunboats, or was there any other arrangement? Such gunboats as Colonel Jervois referred to were not to be constructed in a week or a month. He should be glad to hear what length of time would be required to construct a sufficient number for the defence of Canada upon the plan proposed. The Committee had a right to call upon Her Majesty's Government to give a positive assurance that these gunboats were, or were about to be, put in hand, and that by the time the fortifications were completed they should have enough both of gunboats and of men ready to play their part in the defence of Canada. There was only one point more. He would ask the Government to bear in mind that they were about to take no trifling step when they asked for this Vote of £50,000, but one the consequences of which no man could venture to calculate, either as regarded ourselves or the influence it might have upon the defence of Canada. He thought, with all deference to the Committee, that they ought to pause before assenting to this Vote; that they ought to have better information, in the first place, as to where the men were to be found, and in the next place as to the gunboats. He feared they were about to embark without sufficient advice and consideration upon a measure which if it failed might ultimately lead to a great disaster both to the honour and interests of this country. He begged to move the omission of the sum of £50,000, for the defences of Quebec from the Vote.

Motion made, and Question proposed,

"That the Item of £50,000, for the Improvement of Defences at Quebec, be omitted from the proposed Vote."—(*Mr. Bentinck.*)

GENERAL PEEL: Sir, although a great deal of the interest and importance attached to this Vote has been already forestalled and anticipated by the debates which have taken place upon the subject of Canada, I shall, with the permission of the Committee, offer a few remarks on the subject now before us. In the course of previous debates the House has, I think, expressed its opinion, with a degree of temper and moderation which does it the greatest credit, to the effect that, without casting the slightest doubt upon the good intentions or honour of the American Government, this country has come to the determination that, if Canada be attacked by anybody, that attack should form a *casus belli*, and that she would be defended with the whole strength of our armaments, to be employed in such a manner as should be most effectual to her interests. This I take to be the opinion of, at all events, the majority of this House, and I am sure it is of the majority of this country. Entertaining this opinion myself, I shall now come shortly to the consideration of the merits of the scheme proposed by Her Majesty's Government. If I were to look at the proposed fortifications of Quebec merely with reference to the Report of Colonel Jervois, I should be inclined to say that they were intended to secure the safe retreat of Her Majesty's forces in Canada in case it should be invaded; and I should look upon the position of our troops in Canada in much the same way as the Minister looked upon that regiment of Volunteers whose colonel wrote to say, upon the breaking out of war, that they would not under any circumstances leave the country, and the reply of the Minister was that he thought they had better make one exception, and that was in case the country was invaded. If that be the position of our troops in Canada, why you had better at once secure their safety and save your own money by withdrawing them, and adopting the principle of leaving the inhabitants to their fate, and seeking some other battle-field upon which to defend their cause. That is no new scheme nor has anybody in the course of these debates had the merit of making this suggestion for the first time. More than two years ago, in 1862, Sir Francis Head, who is some authority upon this subject, after describing, in the first instance, the great extent of the frontier you will have to defend, goes on to say—

"Now, over such an enormous expanse of land and water, instead of our despatching troops, vessels, and ammunition to engage, not in regular warfare, but in an endless, costly, and ignominious game of 'hide and seek,' in which we might possibly lose more than we should be permitted to capture, let England proclaim that so long as Canada shall unequivocally evince the loyalty and attachment to Great Britain which have hitherto distinguished her, any unjustifiable invasion of her territory by the army of the adjoining Republic shall, in the first instance, be instantly resented, not on her own soil, but by an infinitely cheaper and more efficacious punishment elsewhere. Thus, if the army of the Government of the Northern States fire Toronto and Hamilton, let England, instead of troubling herself to extinguish those distant flames, bombard and burn Boston and New York. If Canadian vessels are attacked on fresh water let the injury be promptly avenged by the British navy throughout the 'wide, rude,' salt, aqueous surface of the globe."

That might be very good advice in merely a military point of view; but there are other points of view. It would be very poor consolation for the inhabitants of Toronto and Hamilton if they had been bombarded and burnt on your account to tell them that you intended to burn and bombard Boston and New York—which you would find it very difficult to do. I think our position with regard to the Canadians, if we abandon them, would be very like that of the absentee landlord to his steward when the latter wrote to say that in consequence of his arbitrary and oppressive treatment his tenants had threatened to murder him, and the reply of the landlord was, "Tell the scoundrels if they think to intimidate me by shooting you they are very much mistaken." I suppose we are to instruct the Canadians to tell any aggressor that if they think to punish England by massacring them they are very much mistaken. Now I am totally opposed to this policy of abandoning the Canadians. So long as they continue faithful subjects of Her Majesty, and are prepared to defend themselves from aggression, I think that by every tie of blood and by every consideration which can actuate a great nation we are bound to protect them. I attach value to this Vote, because I look upon it as a declaration on the part of England that if Canada is attacked she "will not be left to defend herself alone," and as that declaration will come from the House of Commons in the name of the English nation, I trust it will be more faithfully kept than other declarations which have been made of late to other countries. Still, Sir, the question remains as to the merits or demerits of the plan proposed. Now, nobody can have a higher opinion of the ability of Colonel Jervois than I have. So high is my opinion of him, that I feel perfectly certain that if he had had the least idea that a confidential Report to the Secretary of State for War would have been laid on the table of this House, he would have accompanied it by those explanations which the Secretary of State would, no doubt, obtain from him in private. He would not have thought of publishing to the world the bare fact that the British tooops are placed in Canada, very much like our unfortunate cavalry horses on the heights of Inkerman, as so many scare-crows at the mercy of any assailant who may choose to attack them. As to the merits of the scheme, looking to the great extent of frontier, which it is impossible to defend, it is evidently of the last importance to prevent the enemy from taking possession of vital points in the country. You can only do this by means of fortifications, and I think it would be most unwise not to have recourse to them. In my opinion, Colonel Jervois's Report is much strengthened and supported by the fact that the Canadians are ready to undertake their proportion of the proposed works. I look upon them as a very sensible and intelligent people, and they have among them military men quite capable of judging of the sufficiency of these fortifications for the purpose for which they are designed. If, therefore, they undertake their share, we may rest assured that these are very good and necessary works of defence. There remains, however, a question which has been alluded to, but has not yet been answered—Are the Canadians to carry on the works at Montreal themselves, or are we to do it? Are the Montreal works to be carried on simultaneously with those at Quebec? and if the Canadians should find any difficulty in providing the money, will they be assisted by loan or by guarantee? In point of fact, is our undertaking to provide for the defences of Quebec dependent upon the performance by the Canadians of their part of the agreement? The Government have been, with much justice, complained of for having been two or three years in possession of Colonel Jervois's views upon this subject, and yet having taken no steps whatever to secure the safety of Quebec; for allowing valuable time to be wasted, and then, when the necessity is pressing, proposing to spend so small a sum as £50,000 in the course of the present year. The answer on the part of the Government is, that so long as the Canadians did not show any disposition to defend themselves it was useless for us to undertake the duty for them. But I cannot help thinking that the Government are themselves to blame for any backwardness which has heretofore existed on the part of the Canadians in this matter. It is all owing to the great mistake you made in sending out in such a hurry some 10,000 or 12,000 men at the time of the *Trent* affair. In my opinion this was a mistake, both as regards the Americans and the Canadians. It was a mistake as far as the Americans are concerned, because it was treating the American Government with suspicion, as though they would not of their own accord pursue a course which was dictated by justice and the Law of Nations. You ought to have waited till they had refused compliance with the proper and peremptory demand you made for the return of the prisoners taken from under the protection of your flag. This is one of the cases in which I think a Minister should carry out in his public policy the same principles which he would act upon in private life. If a neighbour's servant committed against me an improper and wholly unjustifiable act, I should not go to his master for redress with a pistol in one hand and a horsewhip in the other; on the contrary, I should explain to him calmly the circumstances of the offence, express my belief that he would be very happy to have the opportunity of repudiating the act of his servant, and of doing me justice. But you never gave the Americans the opportunity of doing justice to you with credit to themselves. You almost rendered it impossible for them to subdue that feeling of irritation and excitement which prevailed in their country, owing to the manner in which you made the demand upon them. I know it was said by a great many people that it was owing to the spirited conduct of the noble Lord opposite that a war was prevented upon that occasion. But, depend upon it that if the American Government had not been actuated by a sense of justice on that occasion—if they gave way merely because it was not convenient for them to go to war with you at that particular moment—you have not prevented war; you have only postponed it till it is convenient for the Americans to make a similarly spirited demonstration. It would have been better to have thrown upon them the responsibility of entering into an unjust war, which it would have been on their part, if they had refused to act in accordance with the Law of Nations, and to give up the prisoners improperly taken by them from the *Trent*. You would then have had with you the whole of this country to a man, and you would have had, at all events, the acknowledgment of every other nation that you were in the right. It is perfectly evident, therefore, that if the American Government, in which you now place such confidence—I trust and believe that you have good reason for doing so—were then ready to have acted justly, it would have been far better not to have sent troops to Canada. On the other hand, if the American Government were not prepared to have done this, there was still greater reason why you should not have sent troops to Canada; for, according to Colonel Jervois—

> "It is a delusion to suppose that that force," meaning the regular force now maintained in Canada "can be of any use for the defence of the country without fortifications to compensate for the comparative smallness of its numbers. Even when aided by the whole of the local militia that could at present be made available, it would, in the event of war, be obliged to retreat before the superior numbers by which it would be attacked; and it would be fortunate if it succeeded in embarking at Quebec, and putting to sea without serious defeat."

I need not remind the Committee that at the time these troops were sent out to Canada no fortifications or defences were available there, and therefore a great mistake was committed as regards the Americans. But the mistake was no less serious as regards the Canadians, because you led them to believe that you were prepared to undertake the entire defence of the country against any attack made upon them on your account. And it would have been no wonder if this feeling existed. The quarrel was yours, not theirs; and we cannot be surprised if they desired to throw the whole burden of their defence upon your shoulders, thinking it a sufficient hardship if their country were made the battle-field throughout the war. I say it was natural, then, that they should show no great anxiety to be ruined on your behalf. But now the case is different. It is certain that the Canadians are prepared to make every effort in their power for their own defence, and I think you are bound to assist them. I do hope and trust that if they ever should be assailed they will be able, with your assistance, to maintain their independence. I, for one, will never believe that Her Majesty holds any portion of her dominions by the forbearance of a neighbouring Power. I trust that so great a calamity as war with America may never occur, and I am certain that, whatever causes of dispute may arise between the two nations there will be no necessity for war if those differences are treated in the spirit which ought to prevail between two great nations. At the same time, while we have no right to complain of any act done by the Americans in order to secure themselves from attack upon their Canadian frontier, neither ought the American Government to be in the least annoyed or jealous on account of the fortifications now proposed. By their very nature they are for defence, and not for aggression; and as for this Vote, it is rendered absolutely necessary for the reconstruction of the defences of Quebec. The only ground of surprise is that such a work should not have been completed before, without any reference to apprehended attack on Canada. I shall, therefore, give my vote to the sum proposed by the noble Marquess, and I take it for granted that if this sum is voted the House of Commons will stand pledged for the completion of the whole work—that is to say, the Government will at once be able to enter into contracts for its completion; at all events, to the extent of the sum mentioned in the margin; for no contractors will supply the necessary plant if the sum now voted may be the limit of expenditure, and if there is a possibility that next year the House will refuse to proceed with the works.

MR. BUTLER-JOHNSTONE said, that if it should go forth that we would do nothing for the defence of our Canadian fellow-subjects the patriotic movement going on among them would be arrested, and the Canadians would not take the proper steps to make the country defensible against aggression. He confessed, on his part, a feeling of the deepest disappointment at the smallness of the sum the Government proposed to take for the defences of Canada. Still he thought that by an expenditure of £50,000, Quebec could be made by means of earthworks more defensible than it was at present. The smallness of the Vote, however, was not a ground for opposing it. He thought more money should have been proposed by Government, and he considered that money should have been expended in other ways than those now projected. He conceived that the best way of defending Canada was to give her the Imperial guarantee to enable her to carry out her great works of railroad communication; in order that she might in emergencies gather together her spare and scattered population, and in fact double her material resources. He concurred in thinking that if we went to war with America we should have to trust in a great measure to the daring and enterprize of our seamen, and therefore he thought it a great mistake on the part of the Government that they had not put Bermuda in a proper state of defence, and neglected the fortifications of Halifax. It was from the latter place that, by means of a railway running to Quebec, provisions and materials of war would have to be conveyed to the British troops. The weak point in the American armour was not on the Canadian frontier, nor on the Atlantic, but in the Pacific; and he looked in vain in the Estimates for any Votes for defences on the Pacific side. If there was war with America there would be constant engagements in the Pacific. Our cruisers now refitted at San Francisco. If San Francisco were shut up they would have to go to Valparaiso. In case of a war in the Pacific our cruisers would require a place to repair and refit, and he thought the Government should ask for a sum of money for the fortifications of Esquimault, Vancouver's Island. He went further, for he said that Hong Kong and some point in Australia ought to be put into a position of defence. He quite agreed that these proposals involved very great expense; but if we were to have the glory of empire and the prestige of a protectorate we must be ready to incur the liabilities of that position. We had done nothing of late years to put our possessions over the face of the earth in a proper state of defence. He believed that a great Vote was necessary to effect that object. We did not grudge £9,000,000 to put England in a state of defence, and he contended that Canada was as much our country as England, and that the honour of England was as much involved in an engagement on the St. Lawrence, in the Atlantic, or the Pacific, as if it took place in the Channel or in the Thames. He did not propose that there should be a huge Vote at once to put all our possessions over the world in a state of defence; but he thought something should be done to protect our most vulnerable points, so that if ever we were at war with America we should be prepared to strike her hip and thigh where she was weakest, in the Pacific, and thereby detach California from the union — a State immensely rich in minerals and other resources. Though quite willing to vote for the sum of £50,000 for the defence of Quebec, he thought the proposal was very inadequate, but he hoped it would have a good effect as showing that this country was willing to put forth all her resources to defend her Canadian colonies.

MAJOR ANSON said, that there seemed to be a general uncertainty in men's minds with regard to the defence of Canada, and the reason no doubt was that we had no precedent to guide us. Though we had had colonies to defend before now, yet England had never been placed in the same position as she was at present with respect to Canada. In case of war with the United States, England would be the base of operations, and she would have to carry on the war at a distance of 3,000 miles, with the communications closed for six months of the year. She would have to defend a frontier of 600 miles, from Quebec to Georgian Bay, in Lake Huron. It was proposed to defend three points—Quebec, Montreal, and the peninsula of Toronto, and at each British troops were to be placed. To provide those troops with the necessary supplies the communications with them must be kept open, and the geographical position of Canada was such that the whole frontier must be defended to keep up the communications. A force of 100,000 men would be required between Quebec and Montreal, and another force of 100,000 men between Montreal and Upper Canada. But the question was not one of 100,000 or 200,000 men. If a war should break out the Americans had hundreds of thousands of veterans ready to fall upon Canada at any moment, while we should only have a handful of regular troops supported by a raw militia, without any artillery except what was sent from this country. Even England itself could hardly compete with the Americans in that branch of the service, as he believed that the American army had a larger proportion of artillery to the number of men than any other army in the world; and they had, besides, efficient siege, transport, and commissariat trains, and unlimited means of communication upon any part of the frontier for the accumulation of troops. He maintained, therefore, that it was perfectly and utterly impossible for this country to dream of defending Canada for one moment. But he would assume for the moment that we could make as good a fight for Canada as the Southerners had made against the Federal States. Still the cost of the war in men and money must be calculated. During the last four years of war in America the recklessness of blood and money had been greater than any nation ever exhibited before in the prosecution of a war. He did not see exactly how this country could keep up the supplies of men necessary to carry on the exhausting struggle which it would have to maintain in Canada against the Americans. Where were the men to come from? There was nobody in that House who had a higher opinion of the capabilities of the British army than himself; but an army ought to be proportionate in point of numbers to the duties it would have to undertake in time of war. He did not think the British army had been kept up at that proper proportion; and, at the time of the war in the Crimea the real reason of the failures there was the attempt that was made to get the work of 20,000 men out of 10,000 men. In like manner, the real cause of the mutiny in India was the attempt to keep in subjection the Native army of 280,000 men by means of 18,000 European troops. A great deal more work was always expected to be got out of the British army than it could possibly do. After the Indian mutiny was over they had a war with China. They sent off a force of some 6,000 troops and told them to march to Pekin, the capital of an empire with 400,000,000 inhabitants, and they did it. But all that was perfect child's play compared with what they would have to undertake in the event of a war with America. There they would not have ten Sepoys or ten Tartars with their bows and arrows or their matchlocks against one Englishman, but they would have to face Anglo-Saxons, men of their own race, with all their own indomitable energy, courage, and perseverance. For every gun that England brought, no matter of what power, the Americans could bring ten; for every gunboat we put upon the Lakes and the St. Lawrence, they could put ten, and more, too, if they chose to try it. With the small army which England possessed, and with the very great demands made upon it all over her extended Empire, we ought not to allow ourselves to drift into a great military war with America, of which it would be difficult to assign the termination. Canada herself ought to look upon such a contingency from the same point of view—she ought to perceive that it was no part of the duty of England to shed the blood of her soldiers in that colony. If the Canadians wanted a standing army, let them raise it for themselves, and let them rest content with the maritime and other efficient aid which England could render them. England certainly was not called upon by her honour to send troops to fight in Canada, especially when all knew that it was hopeless. With regard to the £50,000 for the defences of Quebec, which they were now called upon to vote, he wished to ask the Under Secretary for War if Colonel Jervois had been told to place Quebec in a sufficient state of defence before next winter set in — whether he would have said he could or could not? That, he thought, was what the Government ought to have done. Instead of asking for that £50,000, they should have sent out an Engineer and told him to put Quebec in an adequate state of defence before the winter, no matter at what cost, nor no matter what our opinions may be as to the defence of Canada. Having a portion of our army there it is our duty to place in a state of defence the only port through which we could withdraw our soldiers or send reinforcements in case of war.

Mr. ADDERLEY said, that the hon. and gallant Member who had just spoken (Major Anson) seemed to make out that Canada was the only country in the world which it was impossible to defend; but, for himself, he could not conceive that she was in a different position from other States in Europe and other parts of the world which had powerful neighbours on their frontier, but which, he maintained, were somehow or other defensible if the inhabitants were in earnest. The question, as he took it, was, how was the frontier of Canada to be defended. If the proposal on the part of the Government was that England was to undertake the defence of Canada, then he could understand the hon. and gallant Member's argument that they were undertaking what was impossible. But he did not apprehend that the Government were undertaking anything of the kind. The proposition they were discussing was the first Vote towards fortifying Quebec; and what did they undertake by that proposition? Certainly not to defend the Canadian frontier, but to provide for the security of the troops they now had there, and also for the security of stores which they now had there of great value. Last Session he (Mr. Adderley) called the attention of the House —and then not for the first time—to that very point, and he did so with these two objects—first, the security of British troops in North America, whom he felt to be in a most precarious and exposed position; and secondly, in order that this country might as soon as possible come to a clear understanding with Canada as to how much Canada would undertake for herself, and how much England was prepared to undertake for her. It was because he conceived that the Vote now before the Committee tended to accomplish both those objects that he should give it his cordial assent. It was all very well to say it was quite impossible for this country to defend 2,000 miles of frontier in Canada. It was perfectly true that such an undertaking would be absurd and impossible. But, because that is so, would anybody—would the hon. and gallant Member who had just spoken, or the right hon. Member for Calne (Mr. Lowe), or the hon. Member for West Norfolk (Mr. Bentinck)—ask the Committee to come to the conclusion from those premisses that they should either leave the troops they now had in Canada exposed as they were, or should withdraw them thence altogether? Was there anybody who would withdraw those troops at this moment? [Mr. Lowe: Hear, hear!] There was one right hon. Member who would do so; but he stood alone, nobody else shared his views on that point. And if nobody but the right hon. Gentleman would withdraw the troops from Canada at that moment, would anybody venture to say that if they were to remain they should remain without fortifications? When Colonel Jervois made his Report it was proposed that this country should undertake to fortify not only Quebec, but Montreal also, and that the Canadians should undertake to raise fortifications at three other points on their frontier—namely, Kingston, Toronto, and Hamilton. When that proposal was made he himself (Mr. Adderley) ventured to suggest that it would be wiser if this country only undertook to fortify Quebec, and to make it perfectly clear to the Canadians that if works at other points were essential for the defence of their frontier, they themselves must undertake to fortify all those other places. And what was his meaning in that? Why, that Canada should distinctly understand that if we were to fortify Quebec it was not with a view to defend their whole frontier, but to defend our own troops and to secure our own stores, which we had there to the value of about a million sterling, and that the defence of their frontier was to be undertaken by the Canadians themselves, the only people who could undertake it. Nothing could be worse than the vague understanding between this country and Canada with respect to the assistance she was to receive from us. Canada had been trusting to a broken reed in relying for her defence upon England; while we, on the other hand, talked a vague sort of rhodomontade, saying that as long as Canada was loyal and attached to us we would protect her, when we knew that under the circumstances the thing would be impossible. Moreover, it would be absurd, even if we could, to relieve any part of the Empire from the duty of self-defence—a duty which patriotism and self-respect imposed upon all men worthy or capable of freedom. By our fortifying Quebec alone we should show the Canadians that we meant only to protect our own troops and stores; that all other fortifications which might be needed on their frontier must be provided by themselves; and that the rest of our share in defending them in the event of war would be performed by sea, in attempting to cut off the enemy's commerce, or in attacking his most vulnerable points. That we must have fortifications at Quebec no one can have a doubt who would have any troops in Canada at all. He would ask the right hon. Member for Calne, who alone proposed that we should now withdraw our troops, whether he knew what the state of Canada was at this moment —whether he knew that she was only now, for the first time, seriously considering the question of her own defence, and that she could not put forth her own strength without the assistance of a certain number of regular troops? If the right hon. Gentleman did not wish Canada to go entirely undefended, why did he wish this country to take a step which would absolutely disable the Canadians from defending themselves? No moment could be more inopportune for withdrawing the regular force from Canada which was in the act of drilling and forming their first local forces. It was certainly matter for anxiety to us that our troops there, now about 9,000 in number, were scattered in half battalions along 2,000 miles of frontier. That was certainly a precarious position for any troops to be in; but it was at present unavoidable, unless we meant to leave the whole of Canada at the mercy of the United States, or any enemy that might attack it. His proposition last year was that those troops should be concentrated, and the Government, I believe, favoured that proposal; but the necessity of providing military schools, as it were, at different places in the colony for the training of officers and discipline of the provincial levies now prevented the carrying out of that concentration. That being so, how could we leave 9,000 British troops in the present aspect of affairs in North America without any place of strength on which in case of extremity they could fall back? He fully concurred with the right hon. Member for Calne as to the mischief which was done by the presence of those troops; and nothing but an over-riding necessity justified our having them there. They were like the red flag held out at a bull-fight. They were like an incentive to the very attacks which they were put there to ward off. That was a great mischief. Another mischief was that these troops were looked upon as a pledge on the part of England to undertake the defence of Canada, far more than was meant by England in sending them there. The third mischief was in diverting the attention of this country from its chief means of defending Canada—namely, by sea, and in leading us to look mainly to its defence by land. He would allow the truth of what had been said by Sir Francis Bond Head, long before the speech of the right hon. Member for Calne, that—putting out of the question the conveyance of a sufficient number of troops 3,000 miles across the Atlantic, and the impossibility of bringing the recent inventions of war to the aid of the English forces should war come — the English army would be firing guineas in such a war, while the United States army would be only firing shillings in return. He entertained great hopes that when the English troops in that country had done their work, and had developed the strength of Canada, it might be possible to withdraw them and to make the Canadians a present of the fortress of Quebec, in order that they might defend it for themselves. These considerations did not, however, lead him to consent to the withdrawal of the English troops at the present moment. On the contrary, he would leave them there, in order that they might aid the Canadians in developing their own resources and powers of self-defence. It was said that war with the United States was only a remote possibility, and that the Americans were too sagacious a people to draw upon themselves a powerful enemy at a moment of exhaustion. The sagacity of the Americans was, however, leading them to fortify their sea-boards. Not only so, but for some reason or other, known, of course, to themselves, they were not waiting for the completion of their permanent fortifications, but were actually throwing up temporary fortifications in readiness for any emergency. If there was any lesson to be learnt from their sagacity, it was that steps should be taken on our part corresponding to those taken by them in contemplation of the possibility of a rupture with this country. His only regret was that this Vote was not passed a year ago. He regretted the delay that had taken place in commencing the proposed fortification of Quebec, but he felt bound to add that he fully acquitted the Secretary of State of any blame. It was obviously necessary that this country should not take the initiative in fortifying any part of the American continent. If this country had taken the initiative, we should only have repressed the spirit of the Canadians, and rendered it almost impossible for the Canadian Government to obtain any Vote for fortifying the frontier. It was necessary for the Secretary of State to wait until the Canadians had shown some proof on their part that they were as much in earnest as ourselves in defending their country against aggression. There was now ample proof of the spirit of the Canadian people, and it could only be repressed by uncertain relations being maintained towards them by the mother country. Nothing could show the spirit of the Canadians more than the way in which the Volunteers marched to the frontier the other day the men, women, and children joined in cheering them upon taking the first step in the defence of the country. He trusted that this feeling would be kept up by such measures as were indicated by the present Vote. The hon. Member for West Norfolk (Mr. Bentinck) said that Colonel Jervois's Report showed the necessity of supplying the Canadians with gunboats. He could not agree in this version of Colonel Jervois's opinion; but we ought to encourage them in the formation of dockyards upon their lakes, to furnish them with artificers, and possibly with materials, and thus enable them to build for themselves a sufficient number of gunboats for the defence of their frontier. He must confess his disappointment in regard to the part taken by New Brunswick in the matter of the Canadian Federation. New Brunswick appeared to be holding back, as if lingering in the expectation which our treatment had fostered that her defence would be supplied by the mother country. He did not suppose it was the intention of the Government to put any pressure upon New Brunswick—the attitude of this country should be rather to accept offers from the other side of the Atlantic. The first proposal for Confederation came from Canada, and we accepted it. It was not our business to press any one of the maritime provinces into the Confederation, but if any one of these provinces was holding back from the Confederation merely to maintain the advantage of British supplies and protection beyond what it had a right to expect, this country should give it reason to believe that she will not continue that protection if there were not signs of self-help on the part of such province. He would assure the Government that he most cordially supported the Vote, and he did so because he trusted it would be taken as an indication that further measures would be taken on their part to assure the Canadians that England would support them if they would take the proper steps to defend themselves.

VISCOUNT BURY said, that having some acquaintance with Canada, he wished to make one or two observations on this Vote. The first question in every mind was whether England would defend Canada. He believed that there were not three men within the walls of that House who did not believe that the matter was already settled for us. Every one had concluded that it was inconsistent with the dignity of Great Britain to yield up to the ravages of a foreign army any possessions that formed part of the territory of the Crown. That question might be regarded, then, as already settled. During the whole time that Canada had been under the protection of the British Crown it had been known that any attack on its frontier would be an attack made upon England. If England ever came to a different conclusion, it would be her duty to give the Canadians notice of the termination of that understanding; but until we had done so, and until the period of that notice had expired, no one would think it consistent with the duty of the English Government to recommend the discontinuance of that protection. He would not say that at some future time Canada would not be obliged to defend itself, or that the time might not soon come when the Canadians would be in a condition to declare their independence. Many things had, however, to come to pass before that event occurred, and, when it did arrive, it would be necessary to give notice of the intention of this country to withdraw from its protection of Canada and to give the Canadians time to organize a system of defence for themselves. If that were the conclusion, we must see what could be done under the present circumstances, entirely divesting ourselves of the idea that it was impossible to defend Canada. There was only one possible enemy by whom the Canadas could be attacked, and on all hands we were frightened by the immense forces at the disposal of the United States.

He quite admitted that within the last few years the United States had made extraordinary progressive strides and had risen to be one of the first military nations in the world. They had at their command vast resources; and, as his hon. and gallant Friend behind him (Major Anson) had said, they had two or three guns, and could put in the field five or six men for every gun and man that we could put forward. But could we help that? Was it by exaggerating the forces of an enemy that we could get out of the difficulty in which we were now placed? All we could do was frankly to recognize the power of an enemy and to take the best means in our power to render his attacks of no avail. He confessed that to him it did not seem probable that we should be subjected to any attack at at all. Looking at the United States we found that they had been waging a great war for a great cause, and at great cost to themselves—they had made immense exertions and expended an enormous amount of blood and treasure; and they had accumulated a debt beside which our own sank into insignificance. [" No, no!"] He had heard the most extraordinary estimates of that debt; but though the debt might not be as large as ours at the present moment, it had been created in four years, while ours was the growth of centuries, and before the war was ended, no doubt, they would have accumulated burdens far in excess of any which this country could show. After such a struggle the exhaustion consequent on such tremendous exertions must necessarily be felt; and even supposing the war were to terminate in the entire subjection of the South, enormous garrisons would have to be maintained in order to hold the country which they had conquered. Was it likely that to the South, disaffected and ready to rise in fresh rebellion at any moment when the strong hand keeping them down was removed or weakened, the United States would desire to add a North equally disaffected to their rule and equally consisting of an Anglo-Saxon race—who, moreover, not having yet suffered any sacrifices, would come fresh to the encounter? It did not seem within the bounds of probability that the United States, whatever their aggressive spirit—upon which he offered no opinion—would rush blindly and for no possible reason from one great war hardly terminated into the jaws of another. It was, therefore, likely that we should have a breathing space in which to perfect our defences against the enemy — if enemy he proved to be. Still, though we might never be attacked it was plainly our duty to stand prepared, and in his firm opinion the proposals made by Her Majesty's Government were the wisest means of preparation. The hon. Member for West Norfolk said in the course of his speech that we should not have time to complete our forts before the enemy attacked us; but he (Viscount Bury) believed that if the completion of the works were delayed for three or four years we should even then not be too late for the purpose for which the forts would be required, we should then have more than enough time to complete our defences, not only of Quebec, but of Montreal and of Upper Canada also. The right hon. and gallant Gentleman opposite (General Peel) had been very satirical in his comments upon the Government for making a *point d'appui* at Quebec behind which the English soldiers could retire in case of disaster befalling them. But he did not think the great master of the art of war (the Duke of Wellington) was of that opinion when he found the lines of Torres Vedras, and advanced with the knowledge that he should probably have to fall back upon those lines; and did any Englishman think that the Duke of Wellington by providing for the safety of his army in case of disaster had degraded the honour of England? It seemed to him (Viscount Bury) that the wisest thing that the Government could possibly do would be to put Quebec in such a state of defence that in case of disaster not only the English troops, but the Canadians fighting with them, should have a place to which they could retreat. They had been told over and over again that, in such a war as he was considering, we must be in possession of naval superiority in order to defend Canada. But if we had no place to retreat upon where our navy could concentrate—if we were to give up Quebec — we should be unable to maintain our naval superiority. He had lived in Quebec for years, and knew every inch of it, and he must say that Quebec, under present circumstances, was upon the wrong side of the river for military and strategic purposes, though it was different in former days, when the range of artillery was much shorter and military operations were conducted on a system now exploded. Any gentleman who had visited Quebec would remember that it was built on the slope of a hill, and that from the height opposite almost every part of the citadel would be commanded by a long range cannon; and they would therefore see at once that it was not upon the present fortifications that they must depend in case of any attack upon the city. The out-works, therefore, must be transferred to the Point Levi shore. It was on out-works upon the opposite side of the river connected with one another—earthworks formed in the first instance, and afterwards connected together—that we must rely. He believed that in the modern science of fortification they were directed to trust much more to earthworks than to masonry, and that it was by making successive earthworks and retiring from one to the other as necessity required that we must defend Quebec, instead of trusting to those stone defences which, with rifled guns, would be of no avail. Not second in importance to the defence of Quebec was the defence of Montreal. At that point the river took a circular sweep round the Island of Montreal. Above were the Rapids, and on the right towards New York the road by which the enemy advancing from the United States must come into Canada. Strategic reasons existed now as they had done throughout all history, proving that this was the only road by which an enemy could enter Canada. In the war which began in 1755 there were two campaigns, and in both of them the policy was to concentrate forces upon Montreal and Quebec; and the only successful force which ever advanced out of the United States territory came by way of Montreal, and it was by that way we must defend it. The peculiar conformation of the current round Montreal gave great facilities for making a line of defence round the head of the Grand Trunk Railway-bridge, and would enable our gunboats stationed a little below the town to command by a flanking fire almost the whole of the line of works, and thereby materially to assist in the defence of the place. This being so the plan of fortification proposed by Colonel Jervois had this great advantage, that our naval forces below the town could assist us very materially in defending the earthworks behind which the troops could be concentrated. There was no doubt that fortifications such as he had described could be held with ease by a very small English and Canadian force during the six months that operations were possible in Canada. In winter everybody acquainted with that country must know that it was impossible to do more than keep the great roads; and consequently a small defensive force would have great facilities in resisting a large aggressive force which, finding it impossible to deploy, would be unable to make use of its numbers. In case any attempt of this kind were made, a few men on snow shoes would easily cut the line of communications; and, therefore, during the winter the enemy would be obliged to retire to his base of operations. The defences of Upper Canada remained to be considered. A frontier upwards of 1,400 miles in length it would be impossible to defend without an enormous outlay of money, and without sending into Canada more troops than we possessed. It was, therefore, only possible to retain possession of these two strategic points—Montreal by which the enemy would come, and Quebec, behind which our troops would rally if unfortunately there should be occasion to do so. These were the principal points on which, in an Imperial point of view, we ought to concentrate their attention. No doubt, as the numbers and discipline of the Canadian militia increased, and as means became available, it would be necessary and easy to fortify Toronto, Hamilton, and Kingston; but these works must be left over for future discussion, after they had dealt with what they were now assured on all hands was matter of great and immediate danger. ["No!"] He did not believe in the existence of the danger, but he did believe in the necessity of being prepared; and the proposal of the Government to fortify Quebec and Montreal on the principle he had mentioned was, he thought, the best mode in which that very desirable object could be carried into effect. Having some personal knowledge of the country, he only wished to make a few practical remarks. He felt it would be an injustice in any one who had lived among the Canadian population not to say when such a matter as this was under discussion, that he believed that the Canadians were in temper, in bone and sinew, in manners, like ourselves, and able and willing to defend themselves. Like ourselves, they had representative Government in Canada. Having conceded that to them—having made them free—we could not be surprised to find that they were in fact free. Therefore, when under circumstances of great internal difficulty a Militia Bill was presented to them, they took advantage of the occasion to turn out an unpopular Government. We did not like that proceeding, because we wished them to make provision for their own defence; but having given them responsible Government, we could not quarrel with them for exercising it. Now that difficulty was swept away; the very men who rejected the Militia Bill were, he believed, ready to do far more than had ever yet been proposed to put Canada in a state of defence. Even those who had been turned out were ready to join with them, seeing the necessity of being prepared. It was not, he believed, the wish of the Canadian people to throw the burden of their defence on this country; they were prepared to take their fair share of it. He believed they would in a very short time see a highly efficient force organized in Canada by the same means which had been adopted in England—by the raising of a Volunteer force. There were a large number of serjeants of the regular army all through Canada, and if a large body of men had been raised here and rendered not unworthy to stand by the side of any soldiers, he could not doubt, out of the same materials among the Canadian population, a force equally efficient would in a short time be produced. But they had the disadvantage of living among a sparsely settled population. They had also the additional disadvantage of having to sacrifice enormously high wages to attend drill; but now they knew it was necessary to provide against a danger which could only be averted by being prepared for it, they would no doubt be immediately at their post.

MR. WATKIN said, that he felt concerned to hear the United States so often spoken of in the debate as "the enemy;" and if he thought that the Vote before the Committee would in any manner increase international irritation, he should regret his vote in favour of the proposition of the Government. As it was, he felt that he could not quite agree with the policy the Vote indicated. That policy was one of armament against an enemy. The proposition, in his opinion, went either too far or not far enough. It did not go far enough to inspire undoubted confidence and to deter attack by providing for absolute defence; and still, it went far enough to raise suspicion, and to excite or to aggravate a frontier feeling. But he thought that our actual relations with the United States were guiding considerations in reference to the policy of this Vote. Government ought, therefore, to tell the House how far they could repeat the peaceful assurances of a former debate. Did the despatches by the mail just arrived tend towards peace or misunderstanding? Was it true, on one side, that formal notice had a few days ago been given to our Government by the United States to terminate the Reciprocity Treaty? and was it true that that notice had been entirely unaccompanied by any overture or suggestion for a re-discussion of the question? On the other and more friendly side, was it true that the vexatious passport system had been abrogated? and, above all, was it also true that the Government of Washington had expressed to Her Majesty's Government their intention to revoke the notice to terminate the arrangement of 1817 and to place gunboats on the great American Lakes? If this was true, and if it should also appear that the notice to put an end to the Reciprocity Treaty had either not yet been given or had been accompanied by some friendly declaration of a desire to negotiate anew, the House must receive the intelligence with satisfaction; but should it, unfortunately, be the fact that non-intercourse regulations were maintained, that the Lakes were to be covered by armaments, and that international trade was to be interfered with, then he thought the House would consider the question as one affecting an hostile neighbour, whose unfriendly designs had to be met by preparation. He hoped, therefore, that the right hon. Gentleman would give the House all the information at his command. Had he been in possession of all the facts, he should have been disposed to move as an Amendment that it was inexpedient to consider a Vote of money for the construction of fortifications adjoining the United States frontier until negotiations had been undertaken and had failed with a view to the suspension of such works under treaty obligation. He was strongly in favour of negotiation. There was an example and precedent in the arrangement of 1817 for the neutralization of the Lakes. That peaceful compact had endured for fifty years, and had alike saved the expense and obviated the dangers attending rival navies on the great internal waters of America. It was self-evident that we must either fortify efficiently or let it alone. The United States could not fail to see that if they laid out large sums on permanent works of defence, we must do the same; while if we voted money, they must follow us. And thus, while both countries made themselves poorer in the process, neither became much stronger, because a sort of equilibrium of forces would after all be maintained. The Government at Washington surely had no present desire to enter upon a race of expenditure for military works on both sides of the frontier. If they had, the sooner we knew it the better, for then the House would only have one course, however they might deplore it, to pursue. But here was a case where the common sense of the American people could, he thought, be appealed to not in vain. Instead of fortifying, let us neutralize the frontier—let us agree to do away with the expenditure on both sides. If the American people were appealed to as the hon. Member for Rochdale (Mr. Cobden) appealed to the Emperor of the French in favour of the French Treaty, he believed that similar earnestness and tact could bring about an arrangement. The Government at Washington would thereby set an example to all countries having long frontier lines, and a precedent would be established of inestimable value to the world. What could be more deplorable than to substitute for neutrality and the operation of the Reciprocity Treaty an armed frontier and practical non-intercourse? He had before stated, from much personal observation on the spot, that border feeling and jealousy had hardly an existence as between the people of our possessions and of the United States; but so soon as rival fortresses frowned at each other on both sides of the line, and an armed truce were, so to speak, established, all the feelings and prejudices of separate nationality would grow up in abundance. The free exchanges of industry would, perhaps, be at the same time arrested, and war itself might not be impossible. The Reciprocity Treaty practically made the people of the United States and of the British North American possessions, each living under a totally different form of government, one for all purposes of trade and intercourse. Why should they be separated? But, unfortunately, our Government did not appreciate the value of, or they did not appear disposed to undertake negotiations. Instead of endeavouring to come to some friendly understanding first, they came down to the House and asked for a Vote of money, enough to change the aspect of discussion with the United States but not enough to effectually protect from danger. They would spend money first, he supposed, and then negotiate; they would allow some great evil to happen and remonstrate afterwards. The difficulties in Canada might have been avoided by previous precaution. The threatened notice to put an end to the treaty, which grew out of those difficulties, might have been avoided by a renewal of the engagement two years ago. But the Government had done nothing. They had been—how many months?—without a Minister at Washington at the most critical period of our relations with the United States. Now it was proposed to send out a gentleman of many attainments, but who certainly was not of the first order of diplomatists. Hitherto all the interests of this country had been left in the hands of Mr. Burnley, who, if only from his position, was not able to meet on equal terms the able men of whom Mr. Lincoln's Cabinet was composed. Ever since the 17th December, a vexatious system of passports and consular regulations as to merchandize had been in force and were probably in force now. They had seriously impeded trade, produced uncertainty and alarm, and great losses to individuals; they had also created great exasperation; yet, during all this time we had no Ambassador at Washington. Since he entered the House, a letter, by the mail just in, had been placed in his hands, and he would, with the permission of the House, read an extract from it. The writer, under date Portland, March 11, says—

> "Some eighteen passengers, per *Belgian*, arrived here without passports for Canada. The United States Government, by order of General Dix, has detained them, and sent a squad of soldiers to guard them on board the *Belgian*. At this time of writing they are still in custody, one of them being a clergyman. Only fancy, United States soldiers taking charge of an English ship and English subjects! This is carrying the matter with a high hand."

Now, he did not believe that the Government of the United States had purposely and of malice aforethought committed this outrage, nor did he speak of it to increase irritation; but did it not show how wrong the Government had been in leaving the interests of this country so long without representation? What, in fact, was the use of an Embassy at all if our Ambassador was not at his post? The Embassy at Washington was now the most important of our diplomatic establishments abroad. We ought to place there the ablest man we could find, regardless of all party or personal considerations. The people of the United States knew our own estimate of our own officials well, and they took it as a slight if we did not send to Washington a man of the first rank as a diplomatist. He would appeal to the noble Lord at the head of the Government to consider the suggestion he had ventured to make, and not to allow the country to embark, without any attempt at negotiation, in an expenditure of which this was but the first beginning if the policy of it should be forced upon the House. Our fellow-subjects in Canada ought to be assured that, if an unjust war broke out, this country would stand by them at all hazards; but that assurance was quite consistent with the attempt which, he hoped, would be made after all to neutralize the frontier and the Lakes and to re-establish the Reciprocity Treaty. The House would, he felt assured, do nothing to raise up bitter feelings between the British provinces and the United States, nor to alienate still further two peoples of common origin, who, for the sake of civilization itself, ought, as far as possible, to be one and united in the interests of commerce and of peace.

MR. HALIBURTON said, the present might have turned out a very inconvenient debate if it had taken the inconvenient form which many had anticipated—that the Vote proposed by the noble Lord could not be acceded to without exciting a feeling of hostility on the part of that country against whose aggressions they were bound to erect fortifications. He wished to disabuse the minds of hon. Members with reference to the probability of a war with America. He knew something of Canada. Sixty winters had passed over his head before he removed from America to this country, and he would venture to say that he knew something of that country, and of its climate and its people. He had not the least notion that the Americans wished or intended to make war upon this country. They were too sagacious a people for that, and knew their own interests too well; they knew their own inability to attain the object they desired—namely, the annexation of the British provinces. There were two good and sufficient reasons to prevent the Americans from entertaining the foolish project of going to war with England. The noble Lord (Viscount Bury) had alluded to the debt of the United States, and he had not underrated its amount. It was a larger debt, taken with its interests and its *et ceteras*, than the debt of this country; and if they made peace with the Secessionists one of two things must ensue with respect to their finances—they must either repudiate their debt altogether or submit to be as heavily taxed as the English were to pay the interest on it. If there was a country impatient of taxation, and which had been always impatient of it from the earliest times, that country was America—indeed, so much so that every expedient of borrowing, confiscating, or raising money by loans at a high rate of interest, had been adopted in preference to that taxation which they loathed. Therefore there was a great security in that—that they were not able to go to war. They could not go to war if they repudiated, for then the people would not trust their Government again with the sinews of war; and if they paid the interest on their debt they must increase their taxation, and utter exhaustion must ensue, after the terrible struggle in which they were now engaged. He, therefore, put out of sight any probability of a war between England and America. There had been some irritation; no doubt there were causes for it. The *Alabama* had unfortunately escaped from this country, and that naturally led the people to look with suspicion on every act which this country did as favouring the escape of that vessel and aiding it in assailing their commerce. This had produced a good deal of irritation, and some very rough language had been used by their newspapers, which never were famous for truth or mildness of expression, especially towards this country — but it was all "bunkum"—*vox et præterea nihil.* If it meant anything it was but to alarm the people of England who were truthful themselves, and naturally believed others when they asserted anything solemnly, and to prevent them from recognizing the Confederate States. With respect to the Reciprocity Treaty which they had given notice to terminate, the whole loss resulting from its ceasing would fall upon the Americans; because that, like every other treaty which they had made with us, was altogether in their own favour. When Lord Elgin wished to make this treaty he sent to Nova Scotia for delegates; but when they arrived at Quebec they found their fishery rights had been swept away without any notice to them. Under this treaty the Americans acquired not only access to their shore fisheries, but also the right to land on uninhabited parts of the province and to dry their fish, and they had also the privilege to import duty free "lumber," of which there was little or none in back States, and which therefore was an article of prime necessity. The treaty was of great service to them, and if it were put an end to the abrogation would be to their cost. It had been said that Canada was unable to defend herself; but they were not to believe a word of it. Canada had at present a population equal to that of the United States at the time of their rebellion, rebels as the United States were calling the Southern people; but Canada had 3,000,000 of a hardy and brave people, and if they were determined to resist, as the 3,000,000 in the United States formerly resisted the whole power of this Empire, they must succeed. Surely the Canadians had a right to get credit for pluck and courage as much as the people of the States formerly. There was a time in the history of Canada—when there existed a good deal of sympathy for America—when there were many deluded into a love for democracy, and were in favour of the States. That time had passed away; those men had grown wiser as they had grown older, and they had seen that poor foolish country with a cheap Government, with no army, with no navy, grow up into a giant State, but with a giant's load to carry. The people of Canada now felt that if they were amalgamated with the United States they would be swallowed up in the immensity of their debt, and they did not wish to have anything to do with them. It had been said by one hon. Gentleman that a winter campaign could be carried on. When the hon. Gentleman had lived sixty years in that country he would know more about the winters than to assert anything of the kind. With the exception of the few horses that drew the sleighs in Quebec for the necessary traffic, all the rest were sent for the winter into the country; because horses were of little or no use at that season in Quebec. The cold was so great in the open country that they could not explain it by the thermometer or their own feelings. It was difficult to express it in language—a man must feel it in his nose, at the ends of his fingers, and in his amputated toes, to obtain a correct notion of it. It was true, as they were told, that General Montgomery attacked Quebec in the dead of winter, but it did not follow that General Grant could do the same if he had time and opportunity. There was a great difference between a small body of men travelling through the woods, where they are protected from the cold winds, and an army moving through an open and desolate country. Then, also, there was the difficulty in moving ammunition and provisions for the supply of a large force. It was utterly impossible for an army to carry on war in Lower Canada during the winter. A noble Lord had spoken of the facility of approaching Quebec by railways, using the plural number. There was only one railway, which was on the other side of the river, and which for five or six days at a time during winter was lost out of sight, so that they had to dig it out of the snow. And such were the means of transportation for the army that was to capture Quebec. When the debate first opened he felt anxious lest something should be said which might give offence to the colonists. The Canadians had done all that they could do, and more than they could have been expected to do. They had always the assurance of protection from this great country, and that they would be defended by our soldiers and fleet whatever attack was made upon their country. If they had relied on that army and navy more than they ought to have done, it was a reasonable error; but they had seen their error now, and had shown that it was their wish to do their part; and when they were ready to do so it would be disgraceful now, if there should be in the public mind an idea that the Canadians must defend themselves against the Americans. That could not be done with honour—it had been always held out that an attack on Canada was war with England. But if it was inconvenient to have this alliance with Canada, it would be better to tell the people of Canada at once that we must separate. The Canadians were a very noble people, and as long as the Americans behaved honestly and acted properly towards them, they would be likely to display a reciprocal good feeling. The people of Canada were, moreover, perfectly loyal and very much attached to this country; indeed, he did not think that in Canada a disloyal man of any sect, or creed, or colour was to be found. New Brunswick and Nova Scotia, he was sorry to say, did not deserve the same praise to the part they had acted in the matter of the Confederation, and he hoped the Secretary for the Colonies would show that he was aware that such was the case. It was not easy to coerce them, but he trusted the right hon.

Gentleman would let them understand how matters stood. Those two colonies were equally anxious for British connection, but when some years ago responsible government was granted to them it was unaccompanied by any definition to preclude the possibility of everybody putting upon it his own meaning. By some, therefore, it was construed in the most extensive and enlarged sense as operating to cut off all British influence, and to make the colonies completely independent, and thus it was that they came to be cursed with demagogues who made use of all sorts of arguments in support of their views, and who, being possessed of a good deal of talent and very little property, appealed to the prejudices and passions of the people and led them astray. They would only see in Confederation, a diminution of their own little personal influence—they duped the people by playing upon their loyal feelings—they told them to beware of Canada, if it was once in rebellion and would entangle them if they could, and that they would be swamped in the immensity of that country. But to advert more particularly to the fortresses which were about to be erected, it was contended that when constructed there would not be a sufficient number of soldiers to man them. Colonial history, however, appeared to furnish a very different lesson. General Braddock, for instance, had led a very fine army into the interior of the country, and it was routed by a few French and Indians. General Burgoyne surrendered his whole army to a common farmer who had raised the population, and deprived him of supplies; while Lord Cornwallis met with a similar reverse. That being so, it was clear that troops disciplined after the model of European forces were not absolutely necessary for the defence of the colonies. Soldiers extemporized for the occasion, provided they were properly officered, would serve the purpose very well. There were in Nova Scotia and New Brunswick, as well as in Canada, half-pay officers and sergeants who would assist the militia officers in giving full instruction to the militia. They could not select a battle field like Waterloo. The country was broken up, partly wood and partly lake, and this would enable the militia to be equal to the occasion. In the former war which the Americans declared at a time when Napoleon was marching upon Moscow, and they supposed that he was about to conquer the world, there were only two English regiments in Canada, and yet the militia and these two regiments repulsed every attack on their country and conquered the state of Maine as far as Kenebec, and a portion of the country bordering on the Lake. It was, however, desirable that there should be a small force of British troops to give the colonists confidence and steadiness; and he had no doubt they would then be found equal to the occasion. He would only add that he should have great pleasure in voting in favour of the proposed scheme, and that he was glad the debate had not taken such a turn as to render it necessary that he should say a single unpleasant word with regard to the Americans, for whom he confessed he had no great predilection. He did not like their democratic institutions, nor the ungodly and unchristian way in which they carried on the war in which they were at present engaged, nor their utter disregard of all International Law.

MR. SHAW LEFEVRE said, he objected to this Vote, also to the Votes for the fortifications of Halifax and Bermuda, because they inaugurated a new policy of rival armaments, fleets, and armies, in reference to America, such as that which had so long been the curse of Europe; and to avoid this it would be wiser, in his opinion, to wait till the end of the war, in the expectation that when it is over the American Government will be anxious to disband their troops and to revert to that happy state of freedom from armaments which was its condition before the war; and his belief was, that there was no difference between us and the United States which might not be settled by means of amicable arrangement, or, if necessary, by resort to arbitration. He would not deal with the strategic difficulties in defending Canada, which had been so well urged by the hon. Member for Calne. There were, in his opinion, political reasons which rendered it far better for Canada as well as ourselves that we should not commence the proposed fortifications with the intention of maintaining in that colony a large force of British troops. There were two ways in which war might break out with the United States, it might originate in consequence of difficulties with Canada, or, on the other hand, with England; and it appeared to him that the one country ought to be in a position to repudiate, if it should deem right, the policy pursued by the other. Because, though England and Canada were one country in the sense that they were under the same Crown, having separate Legislatures independent of one another, they might pursue different policies. Let him suppose that the cause of war had its origin with us—ought not Canada to be able to say, " We have nothing to do with the matter; it arises out of no policy of ours ?" as, for instance, in the case of the *Trent*, to which the right hon. and gallant Gentleman opposite (General Peel) had referred. So, also, in the case of the steam rams, which, if they had left our shores, it is well known would have caused war between this country and the United States. The Canadians were never consulted upon the policy which should be pursued in that case; and, therefore, they ought to have been in a position to have repudiated all responsibility for it, and, if necessary, to have declined to participate in any war with America to which it must have led. Let them take the converse case —suppose a war had arisen out of the St. Alban's raid, a matter over which our Legislature and Government had practically no control, but in which we might have been involved. Now the general opinion was, he believed, that up to a certain time the Canadian Government were somewhat remiss in taking measures to secure the performance of their obligations as neutrals; but that after they had seen the danger of their position, they had most honourably done all that could be expected of them. Supposing, however, that the Canadian Legislature had not in time taken steps to prevent the recurrence of such an event, and that war had resulted, our Government would justly have been entitled to refuse to engage in any war with America which might thus have been produced. But our troops being there, if the Americans had attacked Canada, we might have been involved in war before either our Government or Parliament had had any opportunity of discussing the question. In both aspects, therefore, it was a matter of extreme importance that Canada should be in such a position that either her Government or our own Government could assume a neutral position in the event of a war occurring with America. What had happened during the last three years might happen again; he did not, however, anticipate the occurrence of difficulties which could not be settled by arbitration, and if difficulties should arise it would, in his opinion, be a great crime on the part of this country if it did not take every means to prevent their leading to hostilities. No doubt, many things had been done in both countries during the last four years which he might wish undone; but he did not think that anything had occurred on either side which was likely to lead to war. On the contrary, he believed that, looking at her conduct as a whole, this country had, in maintaining her neutrality, assumed a noble attitude, for which, at the conclusion of the war, he hoped that she would obtain full credit ; and he regretted the commencement of this new system of armaments and forts in Canada, because he was convinced that it would not conduce to the permanence of friendly feelings between ourselves and the Americans.

Lord ROBERT MONTAGU said, that the hon. Member who had spoken from his side of the House (Mr. Haliburton) had laughed to scorn the notion that the United States would go to war with this country. That statement, however, he could not but class with a good many of the American prophecies which had from time to time fallen from hon. Members in that House. They had for instance heard it confidently stated before now that the Americans were so enamoured of liberty, that nothing would compel them to resign their privileges and freedom ; yet their President at this moment was invested with the authority of a *quasi*-despot. He suspended the *habeas corpus* when he pleased, he seized and imprisoned men without hope of trial or manumission. Similarly it had frequently been urged that their taxes were few, that their expenditure was small, and would never increase ; and yet they were at the present moment overburdened with taxation, and groaning under loans which far exceeded ours. It had been urged, too, that they were a people loving peace, who would always support but a small standing army; yet now their army exceeded our own in number, and it was the very strength and magnitude of their army which occasioned our present perplexity and anxiety. These predictions had all been falsified. The noble Lord the Member for Wick (Viscount Bury) said that the United States would not go to war with us as long as they had another war on their hands. That their strength was now exhausted, their energies overtaxed, so that there was little fear of their undertaking new hostilities. If we waited until the present war between the North and South was terminated, we should have to tarry long enough. A fight will never cease where nations are the bottle-holders. It is our interest, and the interest of other peoples, that the war should continue till both combatants are exhausted. Yet grant the noble Lord's proposition; in that case what would become of the arguments employed by the right hon. Gentleman the Member for Calne (Mr. Lowe)? The right hon. Gentleman said that the United States was so strong in the neighbourhood of Canada that we could not expect to resist them in that country, and that we must therefore conquer them by creating a diversion elsewhere. The right hon. Gentleman contended that the defence of Canada could only be carried on by the bombardment of some town upon the American coast. Yet what bombardment of single towns could make a diversion as strong as the diversion which the Southern States are now making? The hon. Member for Lichfield (Major Anson) had said that our colonies ought to be left to defend themselves. That system of policy was the one pursued by us until the great French war; during that war it was found necessary to take the defence of the colonies upon our own shoulders, and to guarantee them against the attacks of our enemies. It appeared to him that that was the very thing which the Government now proposed to do, they were preparing to make our North American colonies defend themselves. We could not leave Canada to ward off attacks of the United States until it had an army, and was ready to receive the enemy, by having their soldiers strongly entrenched on important points. It had been said that the army of the United States consisted more or less of raw levies, and that they only required good officers to command them. But was it right for us to leave the drafting of officers and serjeants until the time when the Canadians ought to be fully drilled and in the field? The plan of the Government was to construct fortifications at certain vital points in order that our troops might be sheltered in case of a defeat in the field. But still more with an eye to the succeeding peace. If the whole country were overrun and annexed by the United States it would never be ceded to us again. If we still held Quebec and Montreal we could claim the whole country at the cessation of hostilities. He could see nothing in the arguments which had been advanced that evening which should induce us to refuse the paltry £50,000 which was asked for. The hon. Member for West Norfolk (Mr. Bentinck) had urged as an alternative that we should defend Canada by means of a maritime war. He had said truly that our strength was at sea; that we were not a military but a naval Power. But in what does a naval war consist? There were three modes of carrying on a maritime war—by bombardment, by blockade, and by right of search. The noble Lord the Under Secretary of State for War (the Marquess of Hartington) had said, that it was quite ridiculous to attempt to bombard the American towns, because they had been so strongly fortified. They were each like a Sebastopol, against which it had proved so useless to knock our heads. But it was said, "We now have big guns, which we had not then." True, but the Americans have big guns too; the balance is the same. A bombardment would certainly require the services of iron-clads, and of this description of vessel we only possessed thirteen. The American navy during the bombardment would remain safe in harbour, and would come out when all was over, and would then easily make a prey of our crippled ships. If, on the other hand, their ships did not remain in harbour, what was to prevent them, in the absence of our iron-clads, from ravaging the Clyde or the Severn, or from bombarding Dublin, which was without any defence whatever? and it must be remembered that our wooden ships would not be able to contend with iron-clads. The second mode of carrying on a naval war was by means of blockade. This consisted in interdicting the trade with neutrals. It was directed against neutrals and not against enemies. The ships of enemies were captured anywhere without a blockade. The object of a blockade was to prevent neutrals from entering the ports of our enemies, and conveying to them supplies of any kind. Such a course, however, would bring a Lancashire distress upon every country of Europe which had commercial relations with America, and would not be resorted to unless found to be absolutely necessary, for Ministers would fear to lose friends in crushing an enemy. Then as to the right of search. He did not know what the hon. Member for Birmingham would say to the adoption of that mode of carrying on warfare; the hon. Member for Rochdale and his friends had lifted up their voices against such a course. The object sought to be attained by the right of search, was to make an enemy submit by crippling his commerce, by seizing his merchandize, goods, and men wherever they could be found. But by adopting this course they must abjure the Declaration of Paris of 1856. They must deny that a neutral flag covers enemies' goods, otherwise a small nation, such as Schleswig-Holstein, might lend its flag to the enemy. Unless they seized the goods of the enemy wherever they could be found, they could never hope to crush his commerce, and thus reduce him to submission. But if they seized upon all within reach they would have plenty of prize-money to attract men into the service, and privateers without end would soon be afloat. The United States would obtain our things by invading Canada, we must seize their things on the high seas. They had, therefore, only the option of defending the points in the manner proposed by the Government, or of resorting to a maritime warfare which had been denounced by the hon. Member for Birmingham and his Friends. He should therefore feel himself bound to support the Vote.

Mr. CHICHESTER FORTESCUE said, that he rose for the purpose of calling attention to the political theory as to the relations of the mother country to the colonies propounded by the hon. and learned Member for Reading (Mr. Shaw Lefevre). On one point he thoroughly agreed with the hon. and learned Member. The point to which he referred was often passed over by Gentlemen in the course of these discussions, and was naturally, perhaps, much better appreciated in the colonies than it was in the mother country—it was that Canada was likely to be involved in a war over which she had no control, and in which, if there were any blame, she was blameless. She would, in fact, be involved in a war simply on account of her connection with this Empire. The hon. and learned Gentleman said that in the case of a war he would like to see Canada in the position of a neutral, and that he should be glad if she could escape the horrors of a war. His (Mr. Chichester Fortescue's) answer was that such a state of things implied independence, and that Canada herself did not desire to separate from us. But it was not enough for us to wish Canada to be neutral in case of a war with the United States — the question was, whether the United States would permit her neutrality? It was not likely that they would give us such an advantage; and he thought, therefore, that the hon. Member's theory was likely to remain a theory. He would now call the attention of the Committee to the real question at issue. It appeared to him that, under all the differences of opinion expressed, there was a large amount of agreement in essential points. Nearly all the hon. Members who had taken part in the debate agreed that it was the duty of this country to contribute more or less aid to Canada with a view of enabling that country to maintain that independent position towards all the world which, as a member of the British Empire, she so much appreciated, and which she desired to perpetuate. They were nearly all agreed that the main security of Canada consisted in the good sense and friendly feeling of the two great countries—Great Britain and the United States—upon whose relations the fate of Canada must depend. If, unfortunately, the present peaceful relations should ever cease, they were nearly all agreed that the main defence of Canada would lie in the fact that the power of the British Empire would be exerted not only in America but all over the world. The only question which remained was whether, over and above that great security, they should call upon Canada to make preparations to defend herself. He took it for granted that the Committee would not say to the Canadians, after urging upon them for years to make exertions to provide for their own defence, that now they had taken steps in that direction this country could not help them either with money or with men, simply because Canada was utterly defenceless. Of his own personal knowledge he could state that for years past the Colonial Secretary had been continually urging the Canadians to provide means for their own defence. As an instance, he might refer to a despatch written by the Duke of Newcastle in December, 1862, to the Governor General of Canada, in which that Minister, after admitting the force of an observation made by the Executive Council of Canada to the effect that the Imperial policy was most likely to be the cause of any war in which Canada would be concerned, reminded them that their interests were concerned in the maintenance of the power of Great Britain, and that while they relied upon the power of Great Britain to defend them, they must also in return exert themselves to assist the mother country in the struggle. After having addressed such exhortations to the Canadian people and Government, and which exhortations at last appeared to be producing practical results, it would not be generous to turn round and say to them, "We cannot give you any aid for the construction of your fortifications, or for the disciplining of your troops, because you really are defenceless." What was the meaning of "defenceless?" No one would dream of defending so large a frontier; but a country was not defenceless when it was possible to hold certain important and vital points which would enable the inhabitants to make the task of invasion a difficult and dangerous enterprise to any enemy. If we succeeded in infusing a warlike spirit among the people and induced them with our assistance to put themselves into a respectable state of defence, we should have contributed greatly towards placing them beyond the risk of invasion. When it was said that the existence of these proposed fortifications and the continued presence in Canada of Imperial troops would prove a temptation and a defiance to an aggressive Power, he confessed that he could not understand that argument. He could not comprehend why any fortifications at Montreal should be considered as a defiance to a neighbouring Power of superior strength, nor why the presence of the Imperial troops should invite aggression. It appeared to him that the temptation would be exactly in an opposite direction. It might almost be taken as an axiom that if there was a country in which military spirit was low, threatened by another country in which there was a spirit of aggression, to proclaim the defencelessness of the first was to offer a temptation to the latter which it was not in human nature to resist. For those reasons it appeared to him that, upon the ground of common sense, if we recognized our duty to defend Canada against foreign invasion, we should take care to aid her defence so effectually as to make the task of an invader disagreeable, costly, and dangerous. But the immediate question before the Committee was not one of British troops in Canada, but of giving aid to the Canadians themselves to make fortifications. Works of this kind were intended to form points at which the defending forces could be centralized, and to place the smaller force on something like an equality with a larger force invading the country. Quebec was the natural and proper place to select, as it was the gate of Canada—its entrance and its exit—and it seemed to point out the degree and manner in which Imperial aid could be best expended under the circumstances. But apart from this consideration, the Government recommended that assistance should be afforded to the Canadians to defend themselves, and this assistance the Government as well as the people of Canada themselves thought would be best rendered by fortifications. He hoped, therefore, that the Committee would not listen to arguments, however ingenious, which only meant that we should leave Canada helpless in the presence of any foe that might assail her; so that her very helplessness would invite the invasion which we all wished to avert.

SIR FREDERIC SMITH said, that he listened to no one in the House with greater pleasure on many subjects than the right hon. Gentleman (Mr. Lowe) [who had risen at the same time], but as the question now before the Committee was of a military nature he must be pardoned for pressing his own right to address the House when called upon by the Speaker. He was glad the hon. Member for West Norfolk (Mr. Bentinck) had raised this debate, as the right issue had thereby been brought fairly before the public. The noble Member for Wick (Viscount Bury) had given them in his exhaustive and most able address, an admirable description of the country, proposed to be fortified, and of the objects which those fortifications were to accomplish, from which it was impossible to draw any other conclusion than that the course proposed by the Government was the proper one to adopt. It had been contended that we ought not to defend Canada at all, but to leave her to the chances of war; but he did not think that the majority of that House or of this country would be of that opinion, and that night's Vote would show their confidence in the course which it was proposed to take. They had been told that they ought not to defend, and that they could not defend, Canada. It was upon the latter point that he wished to address the Committee. The Report of Colonel Jervois was clear and convincing on that point—more so, indeed, than the covering letter by which it was accompanied, and which had alone been presented to the House. What was proposed as to Quebec? It was to be defended by exterior works, to be constructed on the principles of modern science, which would put it out of the power of an enemy to approach sufficiently near to bombard it without first capturing these works. That was exactly what was wanted; and if the same thing was done at Montreal by the Canadians, there would be two great points secured. He hoped these would be done simultaneously, and the other points westward might subsequently be done. If, then, they had Quebec and Montreal fortified on modern principles as proposed, and had a superior force of gunboats with other maritime defences on the St. Lawrence, he held that it would be impossible for an enemy to attack either of those places, and that an incursion to the eastward from Montreal supposing it eventually to be captured would be impracticable. But whatever was done should be done quickly, and if more than £50,000 could be expended this year, it would be well for the Government to introduce a supplemental Estimate. Indeed, he should prefer their taking the whole sum this year, and completing the defences of Quebec as rapidly as possible under one contract. These fortifications would form depôts, and within a short time the Canadians would make excellent soldiers, and with a small number of regulars there would probably be enough to defend the territory. Within a very short time Volunteers made good soldiers; he said that advisedly. If this country were invaded he would almost as soon be attached to an army of Volunteers as the regulars, as he had the highest opinion of their gallantry, discipline, and intelligence. When he remembered what had been done here in a short time with no immediate prospect of invasion he felt that it would be possible to do much more in Canada, which was certainly in greater danger. They were already training officers, and in a short time they might have 70,000 or 80,000 men prepared to take the field in defence of their country. Suppose they required 12,000 men for the two fortresses, they would then have 60,000 or 70,000 in the field, fighting on their own territory and knowing every inch of the ground. In the event of a war being declared the first thing the general in command would do would be to establish defensible posts, as it were, on all the great roads, by taking possession of houses, loopholing them, and so occupying them that an advancing force would find it difficult indeed to make progress. As to carrying on war on a large scale in the depth of winter it was simply impossible. When the 43rd were sent up in the winter, the men could hardly hold their muskets, and were obliged to wrap them up in flannel and cloth. A very small number of men and a few guns would be quite enough to make roads over the ice impassable. He hoped the Government would lose no time in pushing forward these works, but above all he recommended that they should prepare at once for the naval defence of the St. Lawrence.

Mr. LOWE: I have been so frequently alluded to in the course of this debate—although I have taken no part in it hitherto—that I trust the House will allow me to offer a few remarks in my own justification. I should be very sorry to be obliged to go over, however hastily, the ground I tried to cover the other night, but it is absolutely necessary that I should just restate the points I then took up. I have listened very attentively to the debate to-night, and, with the exception of the gallant officer who has just spoken, who boldly affirmed the proposition, not one of the hon. Members who have addressed you have expressed their belief that Canada can be defended. We have heard a good deal as to the honour, duty, and expediency, but nothing as to the possibility, of defending Canada; now, it is not a question of honour, duty, or interests, but of possibility, and it was upon the latter point I rested my argument on a former occasion, and it is upon the same point I feel bound to rest it still. The right hon. and gallant Member for Huntingdon (General Peel) told us that England was bound to defend Canada, the noble Lord the Member for Wick (Viscount Bury) said it would not be dignified, and another hon. Member that it would not be honourable to desert her, and the Under Secretary for the Colonies said it was our duty to defend her, but not one said it was possible to defend her. The real question which lies at the bottom of all this talk, which we must look manfully in the face, and which we must answer to our own minds and consciences—to God and to man—is, can we defend her? I have heard nothing to-night among the various arguments used by those hon. Gentlemen who have addressed you, and who are so competent to speak on the subject, to alter the impression I hold as to the impossibility of defending that country—except the statement of the hon. and gallant Gentleman who has just sat down, who has given us a most unqualified opinion that it can be defended. I will not put my own opinion against that of the hon. and gallant Gentleman on a military question; but I will refer him to a sentence of Lord Bacon, wherein he says—

> "Authority is a bow, the arrow from which derives strength from the hand that draws it while argument is like a cross-bow, as powerful in the hands of a child as in those of a giant."

I will not recapitulate the arguments I made use of the other night. Indeed, a great many Members have shown that they recollect them very well, for upon the strength of those arguments the hon. Member for North Staffordshire has founded his surmise that I must be mad. I think, according to the present state of the law of lunacy, I am bound, from a due regard to my personal safety, to show him that I have at least lucid intervals. The hon. and learned Member for Launceston (Mr. Haliburton), than whom no greater authority can be quoted, has cited many historical incidents to prove that regular troops are of little value in that part of the world. He has told us that General Braddock was defeated by a few untrained men, and that General Burgoyne was compelled to surrender at Saratoga to a farmer and his men. I always thought a General Gates had something to do with it. But, with great submission, I do not think we can argue from those times to ours. If the basis of the operations of the American Government were situated somewhere at Cape Horn, or if she had no regular trained veteran army, or even if she were in the condition she occupied four years ago, I, for one, would not despair of defending Canada against her. But we must look the matter fairly in the face. We should have to defend her against what is probably the best, and is certainly the largest army in the world, the appointments and training of which are unexceptionable. In fact, we should have to meet with 10,000, him that cometh against us with 20,000. It is no use talking about honour and dignity and that sort of thing—it is a question of possibility, and we must satisfy ourselves in the first place whether or not we can carry out our plans. The hon. and learned Member for Launceston says there is only one railway to Quebec, that I believe is true —but there are four or five different railways touching on the St. Lawrence. There is a railway to Detroit only separated by a narrow strait; there is a railway to Cleveland, and I believe one to Ogdensburgh, two to Niagara; so that the Americans, by means of the railways at their command, have the power of throwing any number of men on the southern bank of the St. Lawrence at any moment they please. That disposes of the difficulty of making marches in winter, and of throwing a force on one point or another, with nothing but the St. Lawrence between them and Canada. Then, it is said, there is no precedent for making a campaign in winter, though how General Montgomery's precedent is got over I do not see, except that instead of sending his troops by railway he marched them through the woods and so kept them warm and comfortable. But there is another precedent. In 1837 Canada rose in rebellion, and our troops and the Canadian militia turned out in the dead of that bitter and severe winter and put down the rebellion. Is not that a proof that such a thing as a winter campaign is possible—more especially if you can bring up your troops to the point you wish by railway? However, I will not weary the House by any recapitulation. Suffice it to say that nothing I have heard convinces me that there cannot be a winter campaign, or that our troops have any chance of holding out any length of time behind these fortifications. Then it is said the Americans could not occupy Quebec without first taking Point Levi. But what is to prevent them taking Point Levi, looking at the exploits they have performed and the works they have carried in the course of this war? Is it to be supposed that we are capable of throwing up fortifications which will resist them more effectually? Without going over the matter again, I shall take the liberty of assuming that we cannot defend Canada effectually. Nothing can be more feeble than the arguments which have been used both by the noble Marquess (the Marquess of Hartington) and the Under Secretary of State for the Colonies. The noble Marquess says that if the people would only rise and assist us something might be done; and my right hon. Friend the Under Secretary says that Canada is defensible, only she could not be defended for any great period of time If that be so, the whole basis of my argument rests on that admission; and what becomes of the rest of the argument? The hon. Gentleman says it is our duty to do what it may not be possible to do. But it is a sound legal maxim, *Nemo tenetur ad impossibile*—if a man cannot do a thing it is not his duty to do it. Duties are limited by possibilities. Once satisfy your mind that you cannot defend Canada in Canada, and the duty of defending Canada in Canada ceases. You cannot alter it by using fine words, you must go straight to the fact—we have no duty, no honour, no dignity in pretending to do that which we cannot do. Then it is said we ought to encourage Canada? Why should we encourage Canada? If the people think it their duty and their interest to defend Canada, then it may be right in us to encourage them; but if not, why should we encourage them to rush on what would be their own ruin? It is said also that the Canadians are loyal, and that we are bound, therefore, to defend Canada. But that does not prove that because it is our duty to defend Canada that therefore we are bound to defend it in Canada. It is our duty to defend her wherever she can best be defended; if in Canada, then there; if not, then wherever elsewhere she can best be defended. Then an hon. Gentleman says that America has an impregnable front, that there is no point at which we could assault her. That is as much as to say that because we cannot defend Canada at all, therefore we must defend her in Canada. I will state to the House frankly what I believe to be our duty. We ought to deal frankly and honourably and truly with Canada, and lay before her the actual state of things. We ought to tell her plainly and straightforwardly that we do not apprehend that we have the means of resisting the present force which the Amecans could place on Canadian soil, but that we are willing to do anything we can do. As to giving her officers to train her men, and troops to serve as an example and model, it would be farthest from my wish that anything of that sort should be withheld, if she desires to defend herself; but though we have got 10,000 certificated schoolmasters to pay, I cannot understand why we should require 10,000 masters in Canada in red coats. I should have thought a much smaller staff would have answered all the purpose. But mark how by arguing this question as it is put before us we lose sight of the better half of the considerations we ought to keep in view. Nobody pretends to say that we are going to defend the valuable part of Canada—the Upper Province. Upper Canada is a country with a rich and fertile soil, well cultivated, and crowned with all the gifts of nature. The Lower Province is a rugged and barren region with a Siberian climate, shut out, inaccessible, poor, and inhabited by a population by no means progressive, and it is upon the Lower Province that every shilling we are going to spend is to be spent. But is the Upper Province, which we then abandon, less exposed? Do not suppose that it is through Lower Canada that the Americans will march to Upper Canada—and what use, then, will your fortifications be for the defence of the Upper Province? Upper Canada is accessible to the Americans by Lake Ontario, by the Straits of Detroit, Lake Huron, and Georgian Bay; and, after all you do, you restrict your efforts to Lower Canada, but you do not pretend to defend the Upper Province in any way whatever. All you risk you risk for the sake of defending the Lower Province, and—if we strip the thing of its varnish and tell the truth—for the sake of securing a better retreat for your soldiers when they are driven from the field and cooped out in these fortifications. Now, what is our duty?—for, although I have objected to what hon. Gentlemen have defined to be our duty, I freely admit that we have a duty in the matter. Our duty to our troops is not without some far better and nobler end to expose them to almost certain destruction. It is not our duty in this manner, and upon such shadowy grounds, to sport with the lives of 10,000 brave men. If their country required the sacrifice, they might be willing to do for her all that Marcus Curtius or Decius ever did for Rome; but let us not call lightly on them for such a sacrifice. It is easy for us who sit at home at our ease to read of their struggles and to offer them up, in a spirit of magnanimity, to some phantom of national honour or to imaginary duty and dignity; but I say, that we owe it as a duty to those brave men, who may be willing to give us their best blood, not lightly to put them in peril, and not to sacrifice them in an enterprise which we know beforehand to be desperate. We have also a duty to perform to the people of this country. The policy which I understand to be inaugurated to-night is what I call a fair-weather policy. Hon. Gentlemen have expressed their opinions that, after all, America will not invade Canada. I have no ill-feeling to the Americans. I received great kindness and hospitality from them when I was there, and I do not at all wish to put a bad construction on anything they may do or say. I do not believe that we shall see them invade Canada; but in a matter of this kind—a question of defence, we must act as if it were quite certain that they would. Now, this fair-weather policy of ours is one which will answer if America does not invade Canada. If she does not invade Canada, nothing can be more glorious to us, or more magnanimous. We shall appear to our colonists as having taken them under our wing, and kept them in safety under the shadow of our protecting ægis—their loyalty to the Crown will not be impaired, and our prestige will not be impaired in any way. On the other hand, we shall have observed a dignified and slightly defiant tone to the Americans, and we shall have held out to all men the spectacle of a small country daring to beard the American giant with his nerves strung and hands all bloody from the fierce contest in which he has been engaged. But, on the other hand, suppose the weather does not turn out fair, suppose that the invasion does actually take place, suppose the Americans enter Canada—what course is left to us? We may leave our men in America to perish or to be captured; or we may withdraw our troops. I know not which alternative this country would choose, in one there is safety without honour, in the other neither honour nor safety; but it is our duty beforehand to look at every contingency which may occur, and to be prepared for it. The way in which men run wrong in this world is by refusing to look at both sides of a question, and, therefore, being unprepared to meet reverses when they came upon them. It is not our duty to adopt a policy which may answer in fair weather times, but will not bear the test of the slightest reverse. Our duty is perfectly clear. We ought to represent these things to the Canadians with perfect fairness. We ought, in my opinion, to tell Canada that we will defend her with all our strength; that we consider her interests bound up in ours, and that we will fight for her to the last, so long as she belongs to us; but that we see no chance of successfully defending her on her own ground. If she chooses British connection she must take it subject to this condition, that she will have to defend her own soil in case of invasion; that we will make diversions elsewhere, and defend her in what we think the most efficient way, and that if our arms are crowned with success, she shall be the first object of our consideration in making peace. We should also represent to her that it is perfectly open to her to establish herself as an independent Republic, and that if she thinks that will make her position safer and more tenable, we do not desire to drag her into any danger. It is our duty, too, to represent to her that, if after well-weighed consideration, she thinks it more to her interest to join the great American Republic itself ["No, no!"]—it is the duty of Canada to deliberate for her own interests and her own happiness, and it is our duty to put before her the real relation of things, not as seen through the illusion of dignity and glory, and things of that sort, but as they really are; and to assure her that, whatever course she may take, she shall have in us a friend, a protector, and an ally up to the time of her departure. But I cannot think it is the best attitude for those who, with me, think that we cannot defend Canada in Canada to encourage her to believe that we will resist an invasion which we cannot resist—to stir her up, relying on our support, to incur dangers from which we cannot deliver her. It appears to me that there is mutual deception. We expect Canada to defend herself, and Canada expects us to defend her. That, I think, is likely to come to very little. In conclusion, I have only to say, that as for my vote on this question, I, for one, cannot take the responsibility of resisting the proposal of the Government. I said so the other night, and I repeat it now. If it is thought that it will be an advantage for Canada to have those fortifications, the money is but a trifling sum, and I am willing to vote for it. But I beg that my vote may not be misconstrued. Though I am quite willing to vote this money and to vote any supplement that may be required to complete those fortifications, I do not consider myself pledged to the policy of maintaining any troops in Canada except such as may be wished for by the Canadians themselves to instruct them in the defence of Canada.

Mr. DISRAELI: Sir, I cannot say that I entirely and heartily approve of the form in which the Vote is presented to us and I particularly disapprove of the manner in which it is introduced to us by placing a despatch upon the table of a confidential character, from an individual employed by the Government, the general result of which has been alarm, perplexity, and confusion, not only in England, and which has attracted also a degree of attention that was not desirable or necessary to what was, I hold, the common duty of the Government. I know that there have been cases in which Reports of a confidential character from officers of the Government, have been laid upon the table of the House to prepare the public mind, and also that of Parliament, to consent to some large measure, or perhaps some considerable Vote of public money, but generally, I think it is a course which the House ought not to sanction. In all legal questions in which the principles of International Law are concerned, Her Majesty's Government very wisely and very properly, when asked for the opinion of the Law Advisers of the Crown, always urge the prerogative they justly possess, and decline to produce them. Now, that rule is highly salutary, though it is sometimes disappointing and annoying to the House of Commons; but certainly I think that rule is one that ought to be peculiarly followed in the case of other advisers of the Crown, when their Reports refer to military questions relative to the defence of the Empire, and which naturally lead to the discussion of questions with reference to other Powers and Governments necessarily of a very delicate character. Yet, on the present occasion, Colonel Jervois's document has been thrown upon the table; and if it had not been, none of these discussions need to have taken place. Parliament votes money on the responsibility of the Government, and not on Colonel Jervois's Report. And it is the duty of Her Majesty's Ministers, when they are supplied with information, to completely investigate the question, and ascertain the course that ought to be adopted, and then expound their policy, and not make an official paper of a confidential character the intimation of their conduct. But whatever objection I might have to the particular proposition of Her Majesty's Government as to its form or its amount, or the manner in which it has been introduced to the House, I have no hesitation as to the course which I ought to follow, which is to support Her Majesty's Government in this instance, because I feel persuaded that if there be any hesitation in the House now, it will discourage the conduct of the Canadians at a most critical moment of their history. I am perfectly willing to admit that no mere sentimental feeling would justify us in entering into a policy of which we disapprove and which may ultimately be disastrous to the country. In that I entirely agree with the right hon. Gentleman who has just addressed us, but I cannot agree with the rest of his arguments. He says that no one has proved that Canada can be defended. Well, but on the other hand no one has proved that Canada can be invaded. These are opinions which we must form as best we can, from our powers of thought and the series of facts before us, and I am bound to say that having listened to the right hon. Gentleman with considerable attention, I am not inclined at all to admit that the balance of argument is on his side, that Canada cannot be defended. It is a matter of opinion, but this I observed in his argument—that it involves this fallacy, founded on this alternative—that if we unfortunately have war with America, it must be carried on either in Canada or in some other specific place. But I maintain that if we have war with America it will be carried on everywhere, in every place where we can carry it on, not in one but in both oceans, and wherever we can annoy and weaken our enemy. Then are we to admit as a sort of strategical corollary, the proposition of the right hon. Gentleman that we are to permit America to invade our provinces with the utmost facility, and therefore with the least cost of money, men, and material. I should have thought that common experience would teach us that the more difficult we make the invasion of Canada by the Americans, the greater the demand upon their resources, upon their soldiers, upon their treasure, upon their military material, so proportionately we should diminish the amount of their military power and their military material in every other point in which they could contend with us. It seems to me preposterous that the right hon. Gentleman should lay down this principle — that if we go to war with America we shall permit the Americans without any resistance to attain a considerable end when, if resistance were offered, although it might not be completely successful, that resistance must diminish the power of the enemy in those quarters where they are assailable. The right hon. Gentleman has argued this case in the same spirit as the case of the Peninsular war was argued by the Whig party fifty years ago, "It is useless to resist the power of Napoleon, because no one can stand against it." This assumption enterely pervaded the whole argument of the right hon. Gentleman, "The military power of America is the power of a great nation; you cannot resist it." Well, he counts the immense legions with whose exploits we are familiar. He tells us that America has hundreds and hundreds of thousands of men in arms who are all veteran troops; that they are commanded —which no one denies—by some generals of signal ability and success; and how, he asks, are we to resist such a force in

Canada? Well, if war were to take place with America to-morrow, there might be some foundation for the views of the right hon. Gentleman, but they are utterly inconsistent with his repeated declarations that he believes such a war will not take place to-morrow, that he does not think it imminent, that he does not even think it probable. Are we to understand from the right hon. Gentleman—a man of acuteness, of historical knowledge, and public experience—that he believes it will be the normal condition of the United States to maintain these armies like the host of Xerxes? Are we to suppose that if peace is to be maintained for four or five years, America will still have at its command an army of 600,000 or 700,000 men. If that is his opinion, it is one in which I cannot share; and it appears to me to be utterly impossible for him to substantiate it. I need only refer for a moment to the financial position of America, as it has been put very tersely by one hon. Member. No doubt America has incurred an immense debt by her present struggle. I will not attempt to investigate its real amount. I will take it according to the official acknowledgment of the American Government, and according to that I should suppose that that debt, which is not to be calculated by its mere amount of money but by the rate of interest it carries, is not probably less weighty than our own. But, then, as has been said, is it the intention of America to keep faith with her public creditor? I believe it is the intention of America to pay the public creditor. I am of that opinion because sagacious people must feel that if they do not keep faith with the public creditor their future will be ruinous. If the United States do keep faith with the public creditor they will not keep up an army of 700,000 men, which they maintain this year by a loan of £120,000,000 sterling. And therefore, unless we go to war with America to-morrow, I am not aware that this innumerable host, which is always at the command of the right hon. Gentleman in his speeches on the part of the United States, would be at hand. Let us look a little at the position of Canada as to its means of defence. I speak with diffidence on this subject. An hon. Member said the other night that England had not a general—a statement which alarmed me immensely. But the result of these debates on military affairs has shown such knowledge of military matters, that I trust if anything happens a general will not be wanting for this country. I think it is pretty well admitted that the population of Canada could under ordinary circumstances bring when necessary 100,000 fighting men into the field. Well, but the population of Canada is a very high-spirited population, and under extraordinary circumstances, it could do something more than bring 100,000 men into the field. Some of the hon. Gentlemen who have spoken on this subject seem to have no idea of the creative inspiration of patriotism. If their blood was up, it is more likely they would bring 200,000 men into the field. Now, supposing you had 200,000 fighting men, qualified from their habits and constitution to attain military excellence—supported by a series of strong places—I do not mean to give this as my opinion, for it would be absurd for me to do so; but we have it on the highest authority on these matters that a series of strong places supporting an army is equal to one-third of the whole force; so that you will in effect have 300,000 fighting men; and I say that 300,000 fighting men are a force, acting purely defensively, equal even to those hosts which the right hon. Gentleman has brought into the field. The right hon. Gentleman has settled the campaign, I admit, with the utmost facility. If campaigns could be settled by chopping logic the right hon. Gentleman would be the greatest general that ever existed. I remember the Duke of Wellington once saying that there were very few men who could see the end of a campaign, and we know from our own knowledge of what has happened, how doubtful has been the issues of campaigns. What in a great degree has made them so? The resistance of fortresses, and the extraordinary character and conduct of individuals who, as we saw in the case of Sebastopol, have suddenly risen up and baffled the advance of conquering armies and thrown back the fate of war for a year or two. Such circumstances occur in a state of war, always admitted to be proverbially doubtful, and I cannot but believe that from the number of the population, their spirit, from what we know they can do, and what I think under the circumstances they would do—under circumstances of excitement—I cannot but believe that so long as their connection with England is maintained and that they are encouraged by the presence of the trained warriors of our country, the resistance of the Canadians would be very considerable, and that the result would not be that which is foreseen by the right hon. Gentleman. The right hon. Gentleman maintains that it is impossible to defend the frontier of Canada. Does he mean to say that for the future it is to be laid down as a principle that no extensive frontier is to be defended? If so he contradicts all the principles of modern military affairs, and confounds all the principles of policy which have regulated the boundaries of nations. I am sure that he does not mean that. But why should he oppose the present Resolution, because our disaster and disgrace, if we interfere in Canada, are inevitable? Why, after all, what is the present proposition of the Government? We may find fault with its amount, with the manner in which it is introduced, with the mode in which it is proposed to dispose of it, but after all the proposition of the Government is to take some precaution that our troops should not be placed in a position from which they must retire with precipitation. It is to secure them from that danger that the present proposition is made, and, therefore, if there be any serious conclusion to be drawn from the general views of the right hon. Gentleman it is this —that we ought to refrain from attempting to maintain the independence of Canada, and altogether renounce the public duties which devolve upon us. Now, I cannot agree with him that the assertion that England has a duty to fulfil in maintaining the independence of Canada ought to be treated as an idle or sentimental boast. The right hon. Gentleman looks forward to Canada becoming a republic. I do not grudge Canada its independence. I can anticipate that those who follow us may view that country independent and powerful, but I do not necessarily see that the form of its Government should be that of a republic. The traditions of Canada are much opposed to such a form of Government, and the recent experience of Canada would not make it particularly enamoured of such a form of Government. What is the moment at which the right hon. Gentleman calls upon us practically to desert Canada? It is at a moment when North America is in a state of revolution; when no one can foresee what may be the result of the vast changes and vicissitudes which have occurred during the last four years, and are still rapidly occurring—not confined to the United States—not confined to the Confederate States—but in English America itself, and most remarkably also in Mexico. We know that the British American Provinces contain the elements of a great nation. They have now no inconsiderable population. They have immense resources. The right hon. Gentleman has described in happy language, picturesque and true, the condition of the Upper Provinces of Canada. These provinces and the lands contiguous to them contain the means of sustaining not only millions but tens of millions of population, and why are we to doom Canada to the fate of being absorbed in the United States or becoming a mere dependency on some American republic? Canada, I believe, has its future. We have a right to assume this, for it has all the elements which make a nation. It has at this moment a strong development of nationality; it is influenced by feelings which we ought to sanction, and it is for us now cordially to consider the mere proposition of the Government. Not to consider now whether it is ample enough, or whether it has been introduced to us in the happiest manner; but whether it is not on the part of the Government an appeal to the Parliament of England; whether they will shrink from the connection with Canada and the North American Provinces which at present exists; whether they do not believe it a point of honour to maintain it, and that even in our interest we should do so. Unaided by us, those provinces probably have the means of establishing their independence of any foreign foe, and if ultimately they can become an independent country we shall not find in such a circumstance a source of mortification, but rather a cause of pride.

Mr. CARDWELL: Sir, this debate has happily been characterized by the same spirit which characterized the former debate on this subject. It may be referred to without the smallest apprehension of exciting any feeling of hostility between us and that great country on the other side of the Atlantic, with whom we are united by so many and by such close ties of intimacy; and I should not have referred at all to this part of the question at the close of the debate if it had not been for the remarks that were made and the inquiries addressed to me by the hon. Member for Stockport (Mr. Watkin). My hon. Friend asked me whether I could repeat the assurances that our relations with the United States were perfectly friendly, and whether I could give him any information with respect to the Reciprocity Treaty, with respect to the maintenance of steamers on the Lakes of Upper Canada, and with reference also to the question of passports in America. I am happy to say that it is my good fortune to be able to give my hon. Friend and the House information that will be agreeable to them on these subjects. Since I came into the House I have received a despatch from my noble Friend the Governor General of Canada—a despatch which confirms the agreeable reports that had already reached us through the ordinary channels of information. He informs me that he has received a telegraphic message from Mr. Burnley, at Washington, to this effect, "The Secretary of State informs me that his Government intends to withdraw the notice for the abrogation of the Treaty of 1817, and that the passport system will cease immediately." Sir, I refer to that announcement with feelings of the greatest pleasure; and I now trust we may proceed to discuss the important practical question before us in no spirit of panic, but in the just spirit which becomes the consideration of what is due to the honour and interest of this country which has dictated the proposal, and which has characterized the manner in which the proposal has been received by the House. Because we are on friendly terms with other Governments—because we hope and believe that the friendly spirit which animates us is reciprocated by them, and because we are confident that these two mighty peoples, of one blood, and one origin, and one language, are united together by every tie which should for ever forbid the possibility of bloodshed between them—these considerations do not render it the less necessary that we should, in a just and temperate spirit, consider the nature of our own defences, and the protection of our own territory, and the defence of our own troops; and that you should lay down the principle that for your safety and defence you are dependent on no other consideration than the great power and assertion of that power on the part of our own country. My right hon. Friend the Member for Calne (Mr. Lowe) has said that in this debate no one had ventured to assert the contrary of the proposition which he laid down, and maintain that Canada could be defended. I should have rather said, after listening attentively to every word of the debate, that until my right hon. Friend rose to address the House all the discussion was on one side, and there was nothing for those who support the Vote to reply to, that the whole argument was in favour of the proposal, and that no one had impugned or contested it except my right hon. Friend. What is the proposal that we make? The right hon. Gentleman who has just sat down (Mr. Disraeli) objects to the mode in which the proposal has been made. He says that a document written by a distinguished officer for the information of the Government, ought not to have been produced to the House. It would be a very convenient doctrine for a Government, no doubt, if they could propose Resolutions, as the right hon. Gentleman wished, merely upon the sanction of their own authority, without producing the reasons on which their proposal was founded. But the right hon. Gentleman should remember the peculiar circumstances of this case—that these proposals are addressed not only to this country, but conjointly to this country and to Canada. That distinguished officer, whose paper had been laid on the table, was sent out last autumn by Her Majesty's Government to Canada to confer with the Canadian Government, and the result of his mission is that these proposals are made to this country and to Canada. I think it due to the House of Commons, to the people at large, and to the people of Canada, that there should be some record of the result of that mission, and that the grounds of the proposal emanating from that mission should be presented to the House. The right hon. Member for Calne has drawn, with his usual ability and power, a distinction between those arguments that rest upon authority and those that rest solely upon argument and logic. I think my right hon. Friend will find that argument and logic are sometimes deceptive weapons, which run into the hands of those who use them, and lead masters of argument and logic to conclusions that are not sound, and are not warranted by the results; and I think the House feels that whilst my right hon. Friend has advanced his propositions with great power, and sustained them with great power of argument and logic, he has not carried with him the confidence and support of his audience, and will not even be admired by the community at large. The defence of Canada is a matter which has always been considered must rest partly on the mother country, but mainly and principally on Canada herself. We accordingly addressed to Canada the advice which we thought it was wise and expedient for her to adopt, and we are prepared, now that she has entered upon the adoption of that advice in a cordial and energetic spirit, to do our just part in sustaining her defence. The right hon. Gentleman says it is impossible to defend Upper Canada, and that therefore we need not attempt to defend that part of Canada by fortifying and holding Montreal and Quebec and the river between them; and he has given us an opinion — but he has given us no authority and no ground for that opinion. He has, indeed, based it on his own view of the campaign of 1776. If he looks to the historians who describe that campaign he will find that it was a campaign of unexampled suffering. In the march Arnold's troops were driven by famine to feed on dogs; and when they came before Quebec they were compelled to attempt an escalade because the season would not permit them to resort to the ordinary measures of a siege. The result was the destruction of a large portion of the force under General Montgomery, who was killed, and General Arnold, who succeeded to the command, after sustaining the siege for a considerable time with exemplary fortitude, was obliged to retire, leaving his artillery, arms, and baggage behind him. My right hon. Friend quotes that as a proof that you can successfully carry on a winter campaign, and he says so in defiance of all our military authorities, our military critics here and in America, of the present day. In papers recently laid on the table of the American Congress their officers say the successful defence of Canada in former campaigns, when the French possessed Canada and we were the assailants, was due not to the superior courage of the French troops, but to the superiority of their fortifications. And when we are told we cannot defend Upper Canada, I find that one of the most distinguished officers of the American army, quoted in those papers, speaks rather contemptuously of the opinion of civilians which had been given in America; and he says that it may be possible to come down from Upper Canada to the attack of Montreal and Quebec; but that attempt will never be made if there be firmness in their councils to resist impressions from without, and to pursue the proper military course. He speaks of Montreal and Quebec as the centre and heart of the country, and it is on the means of their defence that the fate of the country will be decided. My right hon. Friend will find that these authorities do not speak of Montreal and Quebec as posts that cannot be defended; but say that an attack on them would be a most difficult and dangerous undertaking. more especially with respect to Quebec; when, they say, they would have to meet the army and the navy of the mother country, and all the resources which can be thrown in for the assistance of the Canadians. I think I may appeal from the reading of history by civilians to the great military authorities of our own country, supported by the great military authorities of America. As to the plan now before the House—three years ago it was not possible to come before this House and ask for a large sum of money to be contributed from the Imperial Exchequer for the defence of Canada, for Canada was then making no exertions for her own defence. But now, what is the position? She has already trained a large number of officers to take the first and most important step, the command of her militia. She is largely increasing the number of military schools, with a view to train a much larger number of officers; she has got her Volunteers engaged, as my right hon. Friend so well said, in actual service at the present time, respected and receiving the tribute of high praise from their inspecting officers, acquiring popularity, and inspiring a military spirit amongst the people around them; she has prepared a militia 80,000 strong, and she has applied for an officer from this country as Adjutant General to train that force on the best and most approved system. You have, therefore, the beginning of a large local force to fill the fortifications and to defend the country. It appears to me that the proposal is in itself a reasonable one, and that it is brought forward at the proper time, because Canada is, upon the opinion of all military authorities, capable of defence; the spirit and energy of her population will induce them to come forward for the purpose, and she is fairly and justly entitled in that spirit to the assistance of the mother country in the effort she is about to make. Under these circumstances, Sir, I am quite sure I only speak the unanimous feeling of the House when I say that at this time, and under these circumstances, every sentiment both of honour and interest, as well as the welfare of the whole British Empire, calls upon us to support the measure that is now before the Committee.

MR. BRIGHT: Sir, I shall ask the attention of the House for a very few minutes. If the hon. Member for Norfolk (Mr. Bentinck) should divide the House I shall go into the same lobby with him. I am afraid that in making that announcement I shall excite some little alarm in the mind of the hon. Gentleman. I wish, therefore, to say, that I shall not go into the lobby with him agreeing in all the statements he made in his speech on this question a few nights ago. The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) approached the military question, he said, with great diffidence—and I am very glad to see any signs of diffidence in that quarter. But after that expression he asked the House, with a triumphant air, as if no one could contradict him, if there was any difficulty in defending a frontier of 1,000 or 1,500 miles, and if that were to be a new doctrine in warfare? To have 1,000 or 1,500 miles of frontier to defend in the centre of your power is one thing; but to defend a frontier of 1,000 or 1,500 miles at a distance of 3,000 or 4,000 miles from the centre of your power is another thing. I venture to say there is not a man in this House, apart from the consideration of this Vote, or a sensible man out of it, who believes that this country could undertake the successful defence of Canada against the whole power of the United States, if we were to go to war with that country. I said the other night, that I hoped we should not talk folly and hereafter have—to be consistent—to act folly. We know perfectly well that we are talking folly when we say that the Government of this country would be able to send either ships or men to make an effectual defence of Canada against the power of the United States, supposing war to break out. Understand I am not in the least a believer in the probability of war; but I would discuss the question for a moment, just as if I thought war was possible. I suppose there are some men in this House who think it is probable; but if it be possible or if it be probable you have to look this difficulty in the face—there is no extrication from it but in the neutrality or in the independence of Canada. I agree with the Members of this House who say it is the duty of the Government of a great Empire to defend every portion of that Empire. I agree to that general proposition, though hon. Gentlemen opposite, and some hon. Gentlemen on this side of the House, do not apply that rule to the United States. But I admit that rule; and admitting it, supposing that the catastrophe should happen, and we are on all points unprepared for it, may we not, as reasonable men, look ahead and try if it be not possible to escape that catastrophe? [An hon. MEMBER: To run away?] No, not to run away. But there are many circumstances in which a brave man may run away; and you may get into difficulties on the Canadian question that may make you look back and wish you had run away long ago. I object to the Vote on a ground which I believe I have not heard stated by any speaker in the present discussion. I am not going to say that the expenditure of £50,000 is a matter of great consequence to this country, or that its expenditure is to be taken by the United States as a menace. I do not think it can fairly be said that the building of fortifications, that may be useless or not, at Quebec, will enable this country to overrun the State of New York. The United States, I think, will have no right to complain of this expenditure. The most it can do will be to show them that some persons here, and perhaps the Government, have some little distrust of them, and so far it may be of some injury. I complain of the expenditure and of the policy announced by the right hon. Gentleman the Colonial Secretary, on grounds which I think should have been stated by the noble Lord the Member for Wick (Viscount Bury), who is a sort of half-Canadian. He made a speech to-night which I listened to with great pleasure. He told the House many things which some of us did not know. But if I were connected with Canada as he is, I would have addressed the House from a Canadian point of view—and that view has not been taken. The right hon. Gentleman the Member for the city of Oxford (Mr. Cardwell) says, in reference to the expenditure on the proposed fortifications, that a portion of that expenditure is to be borne by this country, but the main portion is to be borne by Canada. I venture to tell him that if there be any occasion to defend Canada at all, it will not come from anything that Canada does, but from what England does; and therefore I protest altogether against the doctrine that the Cabinet in London may get into a difficulty, and ultimately into war, with the Cabinet at Washington, and because Canada lies adjacent to the United States, and may become the great battle-field, this United Kingdom has a right to call upon Canada for the main portion of that expenditure. Suppose you spend this £50,000 and the £150,000 that are supposed to follow, but which perhaps Parliament may be indisposed hereafter to grant—what is the proportion that Canada is to bear? If we are to spend £200,000 at Quebec, is Canada to spend £400,000 at Montreal? If Canada is to spend double what we spend, is it not obvious that every Canadian will begin to ask himself, what is the advantage to him of the connection between Canada and England? Every Canadian knows very well—and no one better than the noble Lord who spoke from the Ministerial Bench—that there is no more prospect of a war between Canada and the United States alone than there is of a war between the Emperor of the French and the Isle of Man. If that be so, why should the Canadians be taxed beyond all reason, as the right hon. Gentleman the Colonial Secretary proposes to tax them, for a policy that is not Canadian, and for a calamity which, if it occurs, must arise from some transaction between England and the United States? There are Gentlemen here who have been a good deal in Canada. I hear the voice of one behind me, who knows perfectly well what is the condition of the Canadian finances. We complain that Canada levies higher duties on English manufactures than the United States levied before the commencement of the present war, and much higher than France does now levy on our manufactures; but when we complain to the Canadians of this, and say it is very unpleasant usage from a part of our own Empire, the Canadians say—and for all you know quite justly—our expenditure is so much, our debt is so much, the interest upon it is so much, and we are obliged to levy those high duties. If Canadian finance is in this unfortunate position—and her credit is not very first-rate in this market—if she has these difficulties during a period of peace, what will be the difficulties of the Canadians if the doctrine of the Colonial Secretary be carried out—namely, that whatever expenditure is necessary for the defence of Canada, we must bear a portion, but that the main part must be borne by the people of Canada? It seems that the conclusion is inevitable that every Canadian will say, "We are here close alongside a great nation — our parent State is 3,000 miles away; there are litigious, even warlike people in both nations; they may get up between them the calamity of a great war; we here, a peaceable people having no foreign politics, may be involved not only in the war, but whilst the great cities of Great Britain are not touched by a single shell, or one of her fields ravaged, there is not a city or village in Canada in which we live that may not be open to the ravages of war from our powerful neighbour." Englishmen generally have more common sense the further they go from their own country, and unless the Canadian is differently constituted, and has even less common sense than the Englishman at home, he will be driven to confess that if he is to live under the doctrine announced by the Secretary for the Colonies, he had better disentangle himself from the foreign politics of England and become the citizen of an independent State. I suspect from what has been stated by official Gentlemen in this Government and in previous Governments that there is no objection to the independence of Canada whenever the Canadians shall wish it. I have been glad to hear this statement, because I think it marked an extraordinary progress in sound opinions in this country. I recollect the noble Lord at the head of the Foreign Office having been very angry in this House at the idea of making a great Empire less; but a great Empire may be lessened territorially, and yet the Empire itself may not be diminished in its power and authority in the world. And I believe that if Canada now, by a friendly separation from this country, became an independent State, choosing its own Government—if it liked a monarch, having a monarchy; if it liked republicanism, having a republic—it would be not less friendly to England than at this moment—that the tariff would be no more adverse to our manufactures than it is now; that, in case of a war between England and America, Canada would be a neutral country unscathed by the calamity of that war; and that the population of the country would enjoy greater security —one very great security being that there would be no risk of war—than they will find in the theory advocated by many Members of this House, and which the Government have adopted by recommencing a system of fortifications in that country. I object, therefore, to this Vote, not because it is throwing away £50,000—though that would be a sufficient reason—and not because it causes some distrust, or might cause it, in the United States —though that, too, might be a very good reason — but I object mainly because I think we are commencing a policy which we shall either have to abandon because Canada will not submit to it, or which will bring upon Canada a burden in this fortification expenditure which will make her more and more dissatisfied with this country, and which will lead rapidly to her separation from us. To that separation I do not in the least object; I believe that it would be better for us and better for them. But I think of all the misfortunes that could happen between us and Canada this would be the greatest—that their separation should take place in a period of irritation and estrangement, and that we should have added on that Continent another element in some degree hostile to this country. I am sorry that the noble Lord at the head of the Government and his Colleagues have taken this course, but it appears to me wonderfully like almost everything the Government does. It is a Government apparently of two parts—one is pulling one way, and the other is pulling the other way, and the result generally is something which does not please anybody, and which does not produce any good effect in any direction. They propose now a scheme which has just enough in it to create distrust and irritation—enough to make it in some degree injurious—and they do not propose enough to accomplish any of the objects for which, according to their own statement, the proposition is made. Somebody asked the other night whether the Administration was to rule, or the House of Commons. I suspect from the course of the debate that on this occasion the Administration will be allowed to rule. We are accustomed to say that the Government does this upon its responsibility, therefore we will allow them to do it; but the fact is, the Government knows no more of the right of this question than any other dozen Gentlemen in this House. They are not a bit more competent to form an opinion. They throw it down on the table, and they ask us to discuss it and to vote it; and I should be happy to find that this House, disregarding all those intimations that war is likely, and anxious not to provoke Canada to an expenditure and burden which she will not bear—and which, if she will not bear, will throw the entire burden on us, by breaking off suddenly the connection between us and Canada, which would make the future relations between the two countries most unsatisfactory —would reject this Vote. I do not place any reliance on the speech of the right hon. Gentleman the Member for Buckinghamshire. Not because he cannot judge of the question just as well as I can, or any of us can; but because I notice in matters of this kind that the Gentlemen on that Bench, whatever have been their animosities with the Gentlemen on the Bench on this side of the House on other questions, shake hands, and though they may tell us they have no connection with the House over the way—yet the fact is, their connection is most intimate; and if the right hon. Gentleman the Member for Buckinghamshire were now sitting on the Bench on this side of the House, and the noble Viscount were sitting on the Bench on the other side, he would give the same support that he is now receiving from the right hon. Gentleman. It seems to me that the question is so plain, that there is so much on the surface appealing to our common sense, and that there are in it such great issues for the future, that I am persuaded that it is the duty of the House of Commons on this occasion to take the matter out of the hands of the executive Government, and determine with regard to the future policy of Canada, that we will not ourselves spend the money of the English taxpayers, and that we will not force upon Canada a burden which I am satisfied she will not long consent to bear.

VISCOUNT PALMERSTON: Sir, I am sorry that we shall not have the vote of the hon. Member for Birmingham; but I thank him for the compliment which he has paid to the Government. He says that the present proposal is a specimen of the usual conduct pursued by us—that is to say, we have made a proposal which I think the result will show is supported by the great majority of the House, and therefore I accept the compliment which he pays us—namely, that our usual and general course is so shaped as to receive their usual and general support. Sir, I should hope that the hon. Member for Norfolk (Mr. Bentinck) who has moved this Amendment might think, from the course which the debate has taken, that it would be well for him not to ask the House to come to a division upon it. He himself, if I did not misunderstand him, did not maintain that we ought not to defend Canada, or deny that we are bound in honour and in interest to do so; all he wished us to do was to postpone the present Vote for further information or for some other inquiry which he desired should be made. But I think he will have noticed that, with only three exceptions or so, the Vote has met with the general approval of all who have participated in the discussion. My right hon.

Friend behind me the Member for Calne (Mr. Lowe) has, indeed, taken that which, if I were not afraid of being accused of a play upon words, I should say was a very low ground. He, I think, the hon. and gallant Gentleman beside him (Major Anson), and the hon. Member for Birmingham were the only speakers who seemed inclined to oppose the Vote; but I must correct myself even as to that, because my right hon. Friend said that, notwithstanding all his objections, he would vote for the Motion. But the general tone and line of argument were so much in favour of the Motion, that I think it would be very undesirable on this occasion that there should appear to be a difference of opinion in the House. Sir, this is not a Canadian question—it is not a local question—it is an Imperial question. It is a question which affects the position and character, the honour, the interests, and the duties of this great country; and I hold it to be of the utmost importance to the character of the nation in a case like this, and when the great majority of the House seem to be of the same opinion, that it should not go forth to the world that there has been a difference of opinion on this Motion; but that it should be seen to have been accepted by an unanimous House of Commons. Sir, there are one or two points raised in the course of this debate with regard to which I think it right to express my dissent from some doctrines which have been laid down. Many Gentlemen have argued this question as if there was a general impression and belief that war with the United States was imminent, and that this proposal of ours was for the purpose of meeting a sudden danger which we apprehended to be hanging over us. Now, I think there is no danger of war with America. Nothing that has recently passed indicates any hostile disposition on the part of the United States towards us; and, therefore, I do not base this Motion on the ground that we expect war to take place between this country and America. But is it necessary that when you propose to put a country in a state of defence you should show that war with some powerful neighbour is imminent and likely soon to take place? Why, the whole practice of mankind is founded on an entirely different assumption. Every country which is able to do so fortifies its frontier if its neighbour is a powerful State which might if it thought fit attack it. But it is said that you cannot defend Canada. Now, I utterly deny that proposition. I think that is assuming a conclusion which no man is entitled to assume. Does the example even of the war now going on tend to justify that conclusion? The territory of the Confederates is vast and extensive. Have they attempted to defend every portion of that territory? No. They have fortified certain important points, and those important points, although the rest of the country may have been overrun, have resisted attack—some of them even to this day, and others for three or four years of the contest. Look at Richmond; is Richmond taken? Has not Richmond been attacked for a great length of time? And what are its defences? Why, chiefly earthworks, with a force behind them; and, though that force is inferior in numbers to the force which threatens it, it has hitherto remained in Confederate hands. The mere occupation of territory by an army that traverses through it without reducing its fortresses is no conquest. The conquest is limited to the ground that the invading army occupies; and when that army passes to another part of the country its conquest passes away with it. But all countries fortify particular points, and when those points are secure they trust that the general bulk of the territory is safe from any permanent occupation or conquest by any enemy who may attack it. It is urged that Canada has an extended frontier; but are no other States similarly placed in that respect? What country has the largest frontier? What is the extent of our own frontier? Why, the whole coast of the United Kingdom; and we might as well say that it would be necessary for the security of this country that we should line our whole coast with defensive works, because we may be attacked at any point of that great and extensive frontier as that we should defend the whole frontier of Canada. I maintain, therefore, that there is nothing that has passed, nothing that is now passing between the Government of the United States and our Government, which justifies any man in saying that the relations between the two countries are likely, as far as present circumstances go, to assume a character of hostility leading to war. But, then, the hon. Member for Birmingham says that any danger which might threaten Canada and our North American provinces must arise from political disputes between England and the

United States. And, therefore, the hon. Gentleman says, the Canadians will find that their best security is, not in fortifications or in British support, but in separating themselves from Great Britain, and becoming either a separate republic or some other kind of independent State. Now, in the first place, that happens not to be the wish or inclination of the Canadians. The Canadians are most anxious to maintain the connection with this country. They are proud of that connection; they think it for their interest; they are willing to make every exertion that their population and resources enable them to achieve, and, in conjunction with the efforts of this country, to preserve that connection and prevent themselves from being absorbed by a neighbouring Power. Is it not, therefore, alike the duty and interest of this country, for the sake of that reputation which is the power and strength of a nation, when we find the Canadas and our other provinces desirous of maintaining the connection, to do that which we may have the means of doing in assisting them to maintain that connection and remain united with Great Britain? But, Sir, is it true that the only danger which a smaller Colonial State runs from a more powerful and larger neighbour arises from quarrels that may exist between the mother country and the foreign State? I say that is a total fallacy. Suppose these provinces separated from this country—suppose them erected into a monarchy, a republic, or any other form of Government. Are there no motives that might lead a stronger neighbour to pick a quarrel with that smaller State with a view to its annexation? Is there nothing like territorial ambition pervading the policy of great military States? The example of the world should teach us that as far as the danger of invasion and annexation is concerned, that danger would be increased to Canada by a separation from Great Britain, and when she is deprived of the protection that the military power and resources of this country may afford. If these American Provinces should desire to separate, we should not adopt the maxim that fell unconsciously from the hon. Member for Birmingham, who maintained that the North was right in supressing the rebellion of the South. We will not adopt his maxim, and think that we have a right to suppress the rebellion of the North American Provinces. We should take a different line, no doubt; and if these provinces felt themselves strong enough to stand upon their own ground, and if they should desire no longer to maintain their connection with us, we should say "God speed you and give you the means to maintain yourselves as a nation!" That has not happened; but, on the contrary, they much dislike the notion of annexation to their neighbours, and cling to their connection with this country. And I say that it will be disgraceful to this country—it would lower us in the eyes of the world; it would weaken our power and leave consequences injurious to our position among the nations of the world, if, while they desire to maintain their connection with us, we did not do what we could to assist them in maintaining their position. I think that the Government are perfectly right in proposing this Vote to the House. We are of opinion that all those examples which my right hon. Friend behind me (Mr. Lowe) has adduced are not applicable. We all know that in winter the snow is so deep in Canada that if an army should march it could only be in one beaten track, and that it would be impossible to carry on siege operations in winter. We know that warlike operations must be limited to the summer months, and we think that we can, by the fortifications now proposed—some to be made by the Canadians and some by this country—put Canada into such a state of defence that, with the exertions of her own population, and assisted by the military force of this country, she will be able to defend herself from attack. My right hon. Friend the Member for Calne argued in a manner somewhat inconsistent with himself —for what did he say? He says that you cannot defend Canada because the United States can bring a military force into the field much superior to that which you can oppose to them. Yet the right hon. Gentleman says we ought to defend Canada. You ought not to relinquish the connection, he says, but you should defend Canada elsewhere. Where? Why, as you are not able to cope with the United States in Canada, where you have a large army and where you can join your forces to those of the Canadians, you should send an expedition and attack the people of the United States in their own homes and in the centre of their own resources, where they can bring a larger force to repel our invasion. If we are unable to defend Canada we shall not have much better prospects of success if we land an army to attack New York or any other important city. I really hope that the hon. Gentleman (Mr. Bentinck) will be sufficiently satisfied by proposing this Amendment, and that he will not think it necessary to disturb, what I think I may call the unanimity of the House by insisting upon our going to a division.

Mr. BENTINCK said, the noble Lord had correctly construed the statement with which he opened his remarks. There was no man in that House more fully impressed than he was with the conviction that both the honour and interest of this country were bound up with the defence of Canada. The question between him and the Government was not as to the end but as to the means. He still retained the opinion he originally expressed; but he had discovered during the debate that a large majority of the House were of a contrary opinion. He had also to thank the hon. Member for Birmingham for the perfect frankness with which he had let the cat out of the bag, and let him understand the position in which he was placed. He found, after the hon. Gentleman's speech, that if he proceeded to a division he would be placed in two positions, both of which he strongly deprecated. In the first place, he would be giving a vote which would be open to great misconstruction, because he would find himself in the lobby with a number of distinguished Members of the House giving the same vote, but having entirely different views on the subject. Another position was, that he would be obtaining the support of those Gentlemen under false pretences. He deprecated both positions. He must decline on that occasion to ask the Committee to go to a division, and if hon. Members on the other side of the House forced a division, in order to save himself from misconstruction he would take no part in that division. The hon. Member in conclusion, said, he would, with the leave of the House, withdraw his Amendment.

The CHAIRMAN: Is it the pleasure of the House that the Motion of the hon. Member for West Norfolk be withdrawn? [*Cries of* "No, no!"]

The CHAIRMAN then put the Question,

"That the Item of £50,000, for the Improvement of Defences at Quebec, be omitted from the proposed Vote."

The Committee *divided*:—Ayes 40; Noes 275; Majority 235.

(*List of Division in next Column.*)

Original Question again proposed.

House *resumed*.

Committee report Progress; to sit again *To-morrow.*

Viscount Palmerston

AYES.

Agar-Ellis, hn. L. G. F.
Antrobus, E.
Ayrton, A. S.
Aytoun, R. S.
Baines, E.
Barnes, T.
Bazley, T.
Black, A.
Blackburn, P.
Bowyer, Sir G.
Bright, J.
Clifton, Sir R. J.
Cogan, W. H. F.
Cox, W.
Crossley, Sir F.
Dalglish, R.
Ewing, H. E. Crum-
Gilpin, C.
Greene, J.
Gregory, W. H.
Grenfell, H. R.
Greville, Colonel F.
Gurney, S.
Hadfield, G.
Hibbert, J. T.
Lawson, W.
Leatham, E. A.
Lysley, W. J.
MacEvoy, E.
Miller, W.
O'Conor Don, The
Peto, Sir S. M.
Pilkington, J.
Potter, E.
Seely, C.
Sheridan, R. B.
Smith, J. B.
Sturt, Lt.-Colonel N.
Sykes, Colonel W. H.
Taylor, P. A.

TELLERS.

White, J.
Lefevre, S.

NOES.

Adam, W. P.
Adderley, rt. hon. C. B.
Angerstein, W.
Anson, hon. Major
Anstruther, Sir R.
Astell, J. H.
Bagwell, J.
Bailey, C.
Baring, hon. A. H.
Baring, rt. hn. Sir F. T.
Baring, T.
Baring, T. G.
Bateson, Sir T.
Bathurst, A. A.
Bathurst, Colonel H.
Beach, W. W. B.
Beaumont, S. A.
Beecroft, G. S.
Bellew, R. M.
Bentinck, G. C.
Beresford, D. W. P.
Blencowe, J. G.
Bonham-Carter, J.
Bovill, W.
Brady, J.
Bramley-Moore, J.
Bramston, T. W.
Bremridge, R.
Bridges, Sir B. W.
Bromley, W. D.
Browne, Lord J. T.
Bruce, Lord C.
Bruce, Lord E.
Bruce, Major C.
Bruce, rt. hon. H. A.
Bruen, H.
Buckley, General
Buller, Sir A. W.
Burghley, Lord
Bury, Viscount
Butler-Johnstone, H. A.
Calthorpe, hn. F. H. W. G.
Cardwell, rt. hon. E.
Cargill, W. W.
Cartwright, Colonel
Cecil, Lord R.
Chapman, J.
Childers, H. C. E.
Clay, J.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Colebrooke, Sir T. E.
Collier, Sir R. P.
Corry, rt. hon. H. L.
Courtenay, Lord
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Dawson, R. P.
Dering, Sir E. C.
Dickson, Colonel
Disraeli, rt. hon. B.
Duke, Sir J.
Dunbar, Sir W.
Dundas, F.
Dunne, Colonel
Du Pre, C. G.
Edwards, Colonel
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Enfield, Viscount
Ewart, W.
Ewart, J. C.
Fane, Colonel J. W.
Farquhar, Sir M.
Fellowes, E.
Fenwick, E. M.
Fenwick, H.
Fergusson, Sir J.
Ferrand, W.
Finlay, A. S.
Fitzgerald, W. R. S.
Fitzroy, Lord F. J.
Fleming, T. W.
Floyer, J.
Forde, Colonel
Forster, C.
Fortescue, hon. F. D.
Fortescue, rt. hon. C.
Gallwey, Sir W. P.
Gard, R. S.
Gavin, Major

George, J.
Gibson, rt. hon. T. M.
Gilpin, Colonel
Gladstone, rt. hon. W.
Glyn, G. G.
Goldsmid, Sir F. H.
Gore, J. R. O.
Goschen, G. J.
Greaves, E.
Greenall, G.
Grenfell, C. P.
Grey, rt. hon. Sir G.
Gray, Lt.-Colonel
Griffith, C. D.
Grogan, Sir E.
Gurdon, B.
Hamilton, Lord C.
Hamilton, Major
Hamilton, I. T.
Hanbury, R.
Hankey, T.
Hardcastle, J. A.
Hartington, Marquess of
Hartopp, E. B.
Hervey, Lord A. H. C.
Headlam, rt. hon. T. E.
Henley, rt. hon. J. W.
Henley, Lord
Hennessy, J. P.
Hesketh, Sir T. G.
Holland, E.
Holmesdale, Viscount
Horsfall, T. B.
Horsman, rt. hon. E.
Howard, hon. C. W. G.
Howes, E.
Humphery, W. H.
Hunt, G. W.
Ingham, R.
Jackson, W.
Jervis, Captain
Johnstone, Sir J.
Jolliffe, rt. hon. Sir W. G. H.
Jolliffe, H. H.
Kekewich, S. T.
Kendall, N.
Kinglake, A. W.
Kingscote, Colonel
Knight, F. W.
Lacon, Sir E.
Laird, J.
Layard, A. H.
Lefroy, A.
Lennox, Lord G. G.
Leslie, C. P.
Lewis, H.
Locke, J.
Long, R. P.
Lopes, Sir M.
Lowe, rt. hon. R.
Lyall, G.
Mackie, J.
Mackinnon, W. A.
Maguire, J. F.
Malins, R.
Manners, rt. hn. Lord J.
Marjoribanks, D. C.
Marsh, M. H.
Martin, J.
Merry, J.
Miles, Sir W.
Miller, T. J.
Mills, J. R.
Mitchell, T. A.
Moffatt, G.
Moncrieff, rt. hon. J.
Monsell, rt. hon. W.
Montagu, Lord R.
Montgomery, Sir G.
Moor, H.
Moore, C.
Morris, W.
Mowbray, rt. hon. J. R.
Naas, Lord
Neate, C.
Newdegate, C. N.
Noel, hon. G. J.
North, F.
Northcote, Sir S. H.
Ogilvy, Sir J.
O'Loghlen, Sir C. M.
O'Neill, E.
Packe, Colonel
Paget, Lord C.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Palmer, Sir R.
Palmerston, Viscount
Parker, Major W.
Patten, Colonel W.
Paull, H.
Peacocke, G. M. W.
Peel, rt. hon. Sir R.
Peel, rt. hon. Gen.
Peel, rt. hon. F.
Pevensey, Viscount
Ponsonby, hon. A.
Powell, F. S.
Powys-Lybbe, P. L.
Pritchard, J.
Proby, Lord
Pugh, D.
Quinn, P.
Ramsden, Sir J. W.
Repton, G. W. J.
Ridley, Sir M. W.
Robartes, T. J. A.
Robertson, H.
Rose, W. A.
Rothschild, Baron M. de
Russell, F. W.
Russell, Sir W.
Salomons, Mr. Ald.
Schneider, H. W.
Sclater-Booth, G.
Scott, Sir W.
Scourfield, J. H.
Selwyn, C. J.
Seymour, H. D.
Shafto, R. D.
Shelley, Sir J. V.
Sheridan, H. B.
Smith, A. (Herts)
Smith, A. (Truro)
Smith, Sir F.
Smith, M. T.
Smith, S. G.
Stacpoole, W.
Staniland, M.
Stanley, Lord
Steel, J.
Stracey, Sir H.
Stewart, Sir M. R. S.
Stuart, Lt.-Colonel W.
Surtees, H. E.
Taylor, Colonel
Thompson, H. S.
Thynne, Lord H.
Tollemache, hon. F. J.
Torrens, R.
Tottenham, Lt.-Colonel C. G.
Tracy, hon. C. R. D. H.
Turner, J. A.
Turner, C.
Vance, J.
Vandeleur, Colonel
Vansittart, W.
Verney, Sir H.
Villiers, rt. hon. C. P.
Vyse, Colonel H.
Walcott, Admiral
Waldegrave-Leslie, hon. G.
Walker, J. R.
Walpole, rt. hon. S. H.
Walsh, Sir J.
Warner, E.
Watkin, E. W.
Watkins, Colonel L.
Watlington, J. W. P.
Weguelin, T. M.
Western, S.
White, hon. L.
Wickham, H. W.
Williams, F. M.
Williamson, Sir H.
Winnington, Sir T. E.
Wood, rt. hon. Sir C.
Wyld, J.
Wyndham, hon. P.
Wyvill, M.
Yorke, J. R.

TELLERS.
Brand, hon. H. B. W.
Knatchbull-Hugessen, E. H.

COURTS OF JUSTICE CONCENTRATION (SITE) (*re-committed*) BILL—[BILL 71.]

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SIR GEORGE BOWYER objected to proceeding with the Bill, and stated that not one of the three Members of the Committee to which the Bill had been referred who had been nominated by the Committee of Selection, had ever attended the Committee.

THE ATTORNEY GENERAL begged his hon. and learned Friend would not persevere in this opposition. The House was well aware that this Bill was only a portion of a great measure. All the financial arrangements had been very fully discussed, and the finance Bill had passed through all the stages and had gone into the other House.

MR. SELWYN said, the question referred to the Select Committee was very important—namely, to decide on the site for the courts. Several of the Members of the Committee were consistently absent, and the evidence given was all on one side. He understood that the "small number of houses" at first contemplated as necessary to be pulled down on the site chosen amounted to 343, besides other buildings, and no provision had been made for the accommodation of the large number of people who would be dispossessed of their residences. It appeared, also, that the courts would not be concentrated under one roof, but would be divided by a street, and 2¼ acres of ground where houses were now standing would be converted into streets. It had been stated that the Land Register Office would be excluded, as well as the Courts of Bankruptcy and the Central Criminal Court. It was also stated by a witness who came before the Committee that there would be no room for an additional Judge or Vice Chancellor that might be appointed, and that there was no provision for the meeting of the fifteen Judges in the Great Exchequer Chamber. When all the old houses were pulled down that were now contemplated, the access to the new building would be so imperfect that some further demolition of houses would be absolutely indispensable. It appeared to him (Mr. Selwyn) that these matters ought to be more carefully considered than they could be at the late hour at which they had now arrived.

Mr. HENNESSY said, after the speech of the hon. and learned Gentleman, a Member of the Committee, he thought it was the duty of the House to adjourn this debate, and he therefore begged to move that the debate be adjourned.

Motion made, and Question proposed, "That the debate be now adjourned."—(*Mr. Hennessy.*)

The ATTORNEY GENERAL said, he never heard a speech at which he was more astonished than that which had just been made by the hon. and learned Gentleman (Mr. Selwyn). It might be concluded from that speech that the Government had employed a person to draw out plans, and that he had been brought before the Committee, and gave full details as to what the Government intended to do. The fact was that a clause had been introduced into the Bill to the effect that a Commission should be appointed for the purpose of determining in what manner the space should be used, and what should be the plan of the buildings, and to decide other questions relating to them. The Government, therefore, had not employed, and could not have employed, any person to make a plan of the building, or to determine in what manner all the courts were to be accommodated. What the Government did was simply to make a *primâ facie* case as to the propriety of the site, and the sufficiency of the ground for the general purposes for which it was intended. The architect of the Board of Works, Mr. Pennethorne, was produced as a witness before the Committee, and the hon. and learned Member (Mr. Selwyn), who had been a persevering opponent of this measure from the beginning, had taken Mr. Pennethorne in hand, and had put to him a great many questions. Mr. Pennethorne had a plan of his own, and gave his own ideas upon the subject, some of which might be open to criticism; and there might or might not be courts necessary, which he had not taken into account. But he expressly stated that other persons might lay out the ground in a different manner; and that, by different arrangements, any courts or offices might be accommodated, which were not included in his plan. It was quite consistent with his evidence that there would be ample accommodation for all the courts on the site proposed. Mr. Pennethorne answered all the questions as well as he could under the circumstances; but having no instructions to prepare any plan, he could not give the Committee positive information as to whether this or that court would be accommodated, or how the building was to be constructed.

Sir GEORGE BOWYER thought the Attorney General had given sufficient reasons why the House should not proceed with the measure now. The Committee appeared to have had no information at all about the courts brought before them.

Mr. BOVILL wished the debate to be adjourned.

Mr. COWPER said, it was only a question of site, and there had been ample information brought before the Committee and they were unanimous in recommending the site now fixed upon. The subject was of so much importance that he hoped it would not be delayed.

Mr. LYGON believed the more the question was considered the more clearly would it appear that the Carey Street site was not that which was best adapted for the new courts. He therefore was of opinion that further delay was desirable, and should vote for the adjournment of the debate.

Mr. HENRY SEYMOUR also maintained that the Bill ought not to be hurried through the House, adding that the expediency of selecting the Thames Embankment as a site had not been sufficiently discussed.

Sir JOHN SHELLEY also supported the proposal for an adjournment of the debate. He believed that the question of the site of the Thames Embankment had never been sufficiently considered.

Lord JOHN MANNERS thought that the debate might be adjourned, and that the terms of reference to the Committee ought to be enlarged.

Motion *agreed to.*

Debate *adjourned* till *Thursday* next.

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) PROVISIONAL ORDERS CONFIRMATION BILL.

[BILL 82.] SECOND READING.

Order for Second Reading read.

Moved, "That the Bill be now read a second time."

COLONEL DUNNE objected.

Motion made, and Question put, "That the Bill be now read a second time."

The House *divided* :—Ayes 123; Noes 72: Majority 51.

MR. HENNESSY rose to address the House; but was met with cries of "Order!"

MR. SPEAKER: The House has ordered the Bill to be now read a second time, and that order must be carried into effect.

MR. HENNESSY: I think, Sir, I am now in order in rising to order. The House has resolved by a large majority that the Bill should be now read a second time, and as it has not been seen by a single Irish Member, I move that it be read by the Clerk at the table.

Bill read 2°, and *committed* for *Monday* next.

The Clerk at the table, amid loud cries of "Order," proceeded to read the Order of the Day for the Third Reading of the—

QUALIFICATION FOR OFFICES ABOLITION BILL—[BILL 62.]

THIRD READING.

MR. HADFIELD begged to move that this Bill be now read a third time.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Hadfield.*)

COLONEL GREVILLE: I beg to ask, Sir, whether we are considering the Drainage Bill, which was ordered to be read a second time, or the Qualification for Offices Abolition Bill?

MR. SPEAKER: The Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation Bill has been read a second time. ["No, no!"] The Bill has been read a second time, and the Committee has been fixed for Monday.

MR. HENNESSY: With great submission, Sir, I venture to point out the fact that this Bill had not been printed by the Government and was not in our hands, and I called upon the Clerk at the table to perform the old custom in such cases and read the Bill. That was a point of order.

SIR GEORGE GREY: Has not the Order of the Day been read for the third reading of the Qualification for Offices Abolition Bill? ["No! no!"] I do not ask the noble Lord or the hon. Baronet, but I ask you, Sir, whether the Order for the third reading of that Bill has not been read, and whether, therefore, the hon. Gentleman is in order in discussing the Irish Drainage Bill. ["Chair, chair!"]

MR. SPEAKER: It is perfectly true that the Bill was ordered to be read a second time; and it was read a second time in the ordinary and regular course of procedure. There is no doubt that, according to a usage which is quite obsolete, the Clerk may be called upon to read a Bill; but the Bill has been read in the regular, usual manner, according to the ordinary form of the House.

COLONEL DUNNE rose to move that the Committee (of the Drainage and Improvement of Lands Bill) be fixed for that day six months; but being informed that the Committee had already been fixed for Monday next, said he would move that the House do now adjourn.

VISCOUNT PALMERSTON: Perhaps Mr. Speaker will have the goodness to tell us what is the Question last put from the Chair.

MR. SPEAKER: It appears there has been some misunderstanding in the House. The next Order has been read by the Clerk—the Clerk has read the next Order.

MR. LYGON: I submit, Sir, that whatever may have been read by the Clerk at the table cannot be held to have been read until the point of Order raised by the hon. Member for the King's County has been disposed of. That point of Order ought to be disposed of either by you or by the House, and it is not competent to the Clerk, not perhaps conversant with the point raised, to get rid of it by reading another Order. If ever a question of Order was fairly and legitimately raised this one has been so raised by the hon. Member for the King's County, and it must be disposed of before it is competent to the Clerk at the table to read the next Order. ["Chair, chair!"]

MR. SPEAKER: I have already stated to the House that in my opinion, according to our usages at the present day, the Drainage of Lands (Ireland) Bill has been read a second time.

Mr. CRAUFORD rose to put a question, but his voice was drowned in cries of "Hadfield, Hadfield!"

Mr. SPEAKER: The hon. Member (Mr. Hadfield) has moved that the Qualification for Offices Abolition Bill be read a third time.

Lord CLAUD HAMILTON wished to ask Mr. Speaker, whether the Motion for going into Committee on the Bill on Monday next had been put, as he and several Members in his neighbourhood had not heard it.

Mr. SPEAKER said, that that question had been disposed of.

Mr. HUNT desired to offer a few remarks upon the extraordinary scene which they had just witnessed. He could not help thinking that such scenes did not contribute to the dignity of the House. He had no feeling whatever with regard to the Bill in question, but he had voted against its second reading, upon the principle that it was undesirable that Bills should be read a second time before they had been placed in the hands of the Members. If the rule that the Clerk should read the Bill on such occasions were not obsolete, Members would be careful to have Bills printed before the Motion for the second reading was brought before the House, because they would know that it would be practically within the power of any Member to stop the second reading of a Bill. He hoped that the scene which had taken place this evening would be a warning to them for the future, and prevent any Member from bringing Bills before the House for second reading until they had been printed. He hoped that the House would consent to the adjournment, because he believed that in the present excited state in which Members now were, it would not be wise or well to discuss such an important measure as that of which the third reading had been moved—the Qualification for Offices Abolition Bill. He, therefore, thought it would be well that the House should consent to adjourn.

Sir PATRICK O'BRIEN had been assured that the Bill was merely a formal measure, and in accordance with that assurance, he had voted for its second reading.

Mr. BRIGHT said, the hon. and gallant Gentleman who had moved the adjournment of the House had, he presumed, done so with a view to prevent the House going on with the second reading of the Qualification for Offices Abolition Bill. ["No, no!"] He was very glad, then, to

find that that was not the case. He did not think that the passing of the Bill that night was a matter of overwhelming importance, but he thought there were good reasons why it should not be adjourned. The House had already in previous Sessions passed a similar Bill no less than five times. During the present Session it had been referred to a Select Committee, who very fully discussed it, and who by a very large majority agreed to it as reported to the House. He would, therefore, ask hon. Gentlemen whether, considering the persistent course which his hon. Friend the Member for Sheffield (Mr. Hadfield) had taken with regard to it, and the course taken by the House in five previous Sessions, as well as the fact that it was a question in which half the population of England and Wales were interested, it was not fair now to allow the House to divide upon it? As to the excitement under which the hon. Gentleman opposite (Mr. Hunt) said the House was suffering, he (Mr. Bright) did not feel the slightest symptom of it; and he (Mr. Hunt) was not, he thought, so highly excited but that he would find his way into the lobby in the division upon the Bill, and that he would take care to turn in exactly the opposite direction to that which he (Mr. Bright) would take. The House might divide without further discussion, as the Members knew the purport of the Bill, and had pretty well made up their minds as to which way they should vote. He therefore asked the hon. Member for North Staffordshire whether it would not be a graceful thing to allow the division to take place, and not bring his hon. Friend the Member for Sheffield, who had charge of the Bill, down to the House night after night to attend to it.

Mr. NEWDEGATE said, that there had been two distinct misunderstandings as to this Bill, otherwise it might not probably have been sent to a Select Committee. It had already been six times rejected by the House of Lords, and that was a very good reason why a decision should not be hastily forced upon the House. He should vote for the adjournment.

Motion made, and Question put, "That this House do now adjourn."—(*Colonel Dunne.*)

The House *divided*:—Ayes 72; Noes 141: Majority 69.

Question again proposed, "That the Bill be now read the third time."

Mr. MOWBRAY, as a member of the Committee by which this Bill had been considered, begged leave to remind the hon. Members for Sheffield (Mr. Hadfield) and Birmingham (Mr. Bright) of the circumstances connected with the Bill. Those hon. Members should recollect the Church Rates Abolition Bill, which, after being passed by a majority, had ultimately been rejected, the time afforded for reflection by the action of the other House having induced a change of opinion. Therefore, it was not altogether safe to rely upon the fact that this Bill had been adopted by the House on former occasions. The hon. Member for Birmingham relied upon the fact of this Bill having been referred to a Select Committee, with the assent of the right hon. Gentleman the late Member for North Wilts (Mr. Sotheron Estcourt), whose loss they all regretted. It was true that that right hon. Gentleman did recommend that course; but in doing so he did not foresee the course that would be adopted. The Committee only sat for two hours, and he attended it, believing that the advocates of the measure were willing to listen to some fair terms of arrangement or compromise. The hon. Member for Sheffield based his Bill upon two grievances; first, he complained that, under the Act of 1828, it was necessary that all the minor officers in the service of corporations should make the declaration, and he complained that in Manchester the Act was in very bad odour, as a great number of nightsoil men and scavengers were brought under its operation. In order to meet that objection, he (Mr. Mowbray) proposed that such minor officers as the hon. Member referred to should be relieved from the necessity of making the declaration, and that it should be required only for mayors, town councillors, town clerks, and recorders. The other complaint was that whereas all high officers of State were allowed six months before they were called upon to make the declaration, all municipal officers were required to make it immediately upon entering into office. To meet that objection he proposed to place municipal officers upon the same footing as the high officers of State. Those propositions, however, did not meet the views of the advocates of this measure, whose real object was, he believed, not so much to get rid of practical grievances as to erase from the statute book a declaration that the Church of England was intimately and permanently connected with the State. Some such compromise as he had proposed might have made the Bill acceptable elsewhere, but his propositions were not adopted, and the only change made by the Committee was in respect of three words in the preamble. Under the circumstances he should recommend his hon. Friend not to divide, seeing that from the last division it appeared there was a majority prepared to support the Bill without understanding its effect; and although if his hon. Friend did divide he should feel bound to vote with him, yet he thought it would be better to allow the third reading to pass rather than to allow it to be supposed by the public from the majority that the House had changed its opinion as to the merits of this measure.

Mr. NEWDEGATE, pursuant to notice, moved that the Bill be read a third time that day six months. He explained that he had declined to act upon the Select Committee, to which the Bill had been referred, because the Bill consisted so entirely of principle that a Select Committee could not by merely altering the terms of its provisions alter the scope of the Bill; the result had proved that he was not mistaken, since the Bill had come practically unaltered from the Select Committee. The proposal to refer this Bill to a Select Committee had been founded upon some expressions which fell late one evening from the right hon. Member for Wiltshire (Mr. Sotheron Estcourt), during the Session of 1860—five years ago. He (Mr. Newdegate) had subsequently represented to that right hon. Gentleman that it would be useless to refer the Bill to a Select Committee for the reasons he had already assigned, and, on reading the Bill again, Mr. Sotheron Estcourt fully concurred in this view. The House had, in fact, been entrapped into a useless proceeding, which seemed merely intended to disguise the purport of the Bill, which was to break up the compact of 1828 that had been framed by the late Sir Robert Peel, and Earl (then Lord John) Russell. When Dissenters were admitted to corporate offices, the effect of the declaration, the necessity for making which this Bill would repeal, was to require the members of municipal corporations to declare that they would not use the influence and power to which they became entitled by their office for the purpose of weakening the Church of England, as by law established, or to deprive the bishops and clergy of the property to which they are by law entitled. The House of

Lords had not acted unreasonably in six times rejecting the Bill—which, in fact, was an attack upon the Established Church. The great majority of the Dissenters were content with the law as it now stood; and the Bill was brought in on the plea that the majority of Dissenters felt aggrieved by the present state of the law; such, however, was not the fact. The truth was that a very few Dissenters had the conscientious scruples, to satisfy which was the ostensible object of the Bill. It was an exaggeration, a misrepresentation, to say that the law prevented the proposing motions in vestry and elsewhere against church rates. The Bill involved principles which meant a disruption of the union between Church and State; and he considered it his duty to press his Amendment to a division.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Newdegate.*)

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 130; Noes 56: Majority 74.

Main Question put, and *agreed to*.

Bill read 3°, and *passed*.

INCLOSURE BILL.

On Motion of Mr. Baring, Bill to authorize the Inclosure of certain Lands, in pursuance of a Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Mr. Baring and Sir George Grey.

Bill *presented*, and read 1°. [Bill 89.]

PUBLIC OFFICES (SITE AND APPROACHES) ETC. BILLS.

Select Committee on the Public Offices (Site and Approaches) Bill and the India Office (Site and Approaches) Bill *nominated*:—Mr. Cowper, Lord John Manners, Sir John Shelley, and Mr. Baillie Cochrane, and three Members to be added by the Committee of Selection:—Power to send for persons, papers, and records:—Three to be the quorum.

AZEEM JAH (SIGNATURES TO PETITIONS).

Select Committee *appointed*, "to inquire into the circumstances under which, and the Parties by whom, the signatures were annexed to the Petitions relating to the case of Prince Azeem Jah, presented during the present Session."

Ordered, That the said Petitions be referred to the Committee.—(*Mr. Charles Forster.*)

And, on March 24, Committee *nominated* as follows:—

Mr. Charles Forster, Mr. Bonham-Carter, Sir James Fergusson, Major Gavin, Mr. Lyall, Mr. Newdegate, Mr. Taverner John Miller, Sir Colman O'Loghlen, Mr. Hastings Russell, Mr. Alderman Salomons, Mr. Owen Stanley, Sir FitzRoy Kelly, Mr. Hennessy, and Mr. Cox:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, March 24, 1865.

MINUTES.] — Public Bills — *First Reading* District Church Tithes* (45) [H.L.]; Qualification for Offices Abolition.* (46).

Committee — Perth Provisional Order Confirmation*(38); Bankruptcy and Insolvency (Ireland) Act Amendment * (20).

Report — Affirmations (Scotland)* (37); Perth Provisional Order Confirmation * (38).

Third Reading—Felony and Misdemeanor Evidence and Practice * (22); Consolidated Fund (£175,650)*; Election Petitions Act (1848) Amendment * (35); Dublin International Exhibition (1865) * (13) and *passed*.

DETENTION OF MR. DOCKRALL.

QUESTION. MOTION FOR PAPERS.

The Earl of MALMESBURY said, that in consequence of information he had received, he thought it his duty, as a Member of Parliament, to ask Her Majesty's Goverment for further information with respect to a case of great hardship and injustice arising from the illegal detention of a person named Dockrall in the Lunatic Asylum at Sedgefield, in Durham. The statement he was about to make to their Lordships was based on information which he believed to be derived from trustworthy sources, and had been corroborated by his own inquiries. It appeared that a most respectable man, named Dockrall, a bookseller, residing at Chester-le-street, Durham, aged thirty-six, was, by the order of Colonel Johnson, a local magistrate, taken from his house and confined in a lunatic asylum, where he remained five days. Colonel Johnson, it was clear, had acted illegally—in the first place, by consulting only one medical man as to the state of mind of the alleged lunatic, while the Act of Parliament requires two; and secondly, in his written order he stated that he had personally examined Mr. Dockrall, whereas he had not seen him at all. After Mr. Dockrall had been confined five days, it became evident to the medical man in charge of that asylum, that he was perfectly sane. This was represented to two magistrates, who went to Sedgefield Asylum, and after an examination which lasted two hours, being convinced that he was perfectly sane, restored him to liberty. Mr. Dockrall was a poor man, but this act of the magistrates created a great deal of stir in the neighbourhood. Mr. Reade, an author of whom their Lordships had, no doubt, heard, sent him to consult his (Mr. Reade's) solicitors, Messrs. Bellfrage and Middleton, a highly respectable firm. These gentlemen advised Mr. Dockrall to take means to obtain redress by bringing an action at law; also by an application to the Court of Queen's Bench, the order for Mr. Dockrall's confinement in the asylum was quashed. He then brought an action against Colonel Johnson for wrongful imprisonment, laying the damages at £5,000. The case was set down for trial at the Summer Assizes in 1864 (the imprisonment having taken place in October, 1863), but the pressure of business was such that the Lord Chief Justice, although most anxious to try the case, was obliged to leave for another assize town before it could be heard. Under these circumstances, the unfortunate man, naturally of an excitable temper, and having undergone great afflictions in the loss of his children, and through domestic differences with his wife, was so overcome by this disappointment, following on his incarceration in the lunatic asylum, and on his unsuccessful applications for redress to the Home Office, that he committed suicide in October last. In order that their Lordships might understand the cruelty of the case, and the grounds on which he believed there was a *primâ facie* case against the Home Office of neglect of duty, he must trouble the House with some documentary testimony. His Lordship then read a letter from the father of the deceased, who said—

> "That his unfortunate son had been seventeen years a clerk in the Customs and was in the receipt of a small pension. He had three sons of the respective ages of four, seven, and nine, but that just previous to this transaction they were attacked by typhus fever and two of them died. This grieved him very much and made him very sad, which was natural, as he was fondly attached to them. He accused his wife, who was a very bad woman, of being in a conspiracy with the magistrate to get him placed in a lunatic asylum, and he was dragged in a most brutal manner from his house to the asylum, where he was confined among the really mad people for five days. His son had applied to the Home Office for redress, and prayed that at least the magistrate should be suspended until a full inquiry was made, but that Sir George Grey and Mr. Waddington took no notice of this very reasonable and moderate request. Seeing that no justice could be obtained by means of the Government he took prussic acid and died."

The father's letter also made the imputation—

> "That his bad wife was in a conspiracy with the magistrate to get him detained in a lunatic asylum."

Into that question, however, he would not enter. When he (the Earl of Malmesbury) received that letter he wrote to a noble Lord now present (the Earl of Shaftesbury), who had passed his life in resisting oppression and in assisting those who were suffering. He was one of the Commissioners in Lunacy, and he sent to him (the Earl of Malmesbury) a report of the case as it appeared at the time, which corresponded with the facts he had already stated. He was also in possession of a letter from Mr. Spring Rice, the Secretary of the Commissioners in Lunacy, to Mr. Dockrall, in which that gentleman stated that the matter was one which came more properly within the province of the Home Office, but that the only legal remedy Mr. Dockrall had was by an action at law. The Lunacy Commissioners had very restricted powers, and he (the Earl of Malmesbury) did not think them to blame in the matter. He would not trouble their Lordships with reading all the affidavits before the Court of Queen's Bench, but he begged to call attention to this point—that Colonel Johnson, being in the commission of the peace, and in the exercise of his functions as a magistrate, had, in dealing with a case brought before him, signed his name to a statement which was not true — namely, he had signed his name to a statement that he had personally seen and examined the alleged lunatic—which was contrary to the fact. It was impossible that the Home Office should have been ignorant of what had occurred in this case. There was no doubt that the unfortunate man was sane when he was sent to the asylum. He quite admitted that a magistrate might, by mistake, act illegally, and if there had been nothing more in this case than that Colonel Johnson acted upon the certificate of one medical man instead of two he should have said nothing on the subject; but he could not understand how a magistrate, when discharging one of the most important functions committed to him, could by mistake sign a certificate stating that he had personally examined an alleged lunatic when such was really not the case. The case itself was one of immense importance, and he thought he had stated sufficient to show that it required the fullest investigation. The noble Earl concluded by moving an Address for—

> "Copies of all Correspondence and Information in Possession of the Secretary of State for the Home Department with respect to the Detention of the late Mr. Dockrall in the Lunatic Asylum at Sedgefield."

EARL GRANVILLE admitted that the noble Earl was quite right in calling their Lordships' attention to the subject, for no one could deny that it was most undesirable that any person should be confined in a lunatic asylum on the ground of insanity who was not really insane. He could only say, on the part of the Government, that they had no objection that the case should be investigated; while as to the conduct of the Home Office he did not see how the authorities there could have taken any other steps than they had done with respect to it.

THE EARL OF SHAFTESBURY said, that the conduct of Colonel Johnson was altogether without excuse, and unwarrantable. No man had a right to sign his name to a document declaring that he had done in accordance with the statute law that which in reality he had not done. He was called upon by law to declare that he had himself personally seen and examined the person whom he was about to commit to a lunatic asylum. Now, in this case it was not true that the magistrate had personally seen and examined the alleged lunatic.

EARL GRANVILLE asked how that appeared.

THE EARL OF SHAFTESBURY said, the order for committal had been brought before the Court of Queen's Bench, and quashed as invalid on that ground. If matters of this kind were to be overlooked, it was to no purpose that Commissioners were appointed, Inspectors sent out, and laws passed for the protection of these unhappy persons. If the law was to be boldly and impudently evaded, as it had been in this instance, things had come to a position in which Commissioners and Inspectors might as well resign their offices, and the Legislature repeal all the Acts of Parliament upon the subject. The Commissioners of Lunacy were in no way chargeable with blame in this matter. Their jurisdiction over county asylums was very slight indeed—amounting only to power to make an annual visitation and report what they saw. Notice was sent to them of the admission of patients; but in this case it happened that the notices of admission and of discharge arrived at the same time, and therefore there was nothing to call for their intervention. After the patient had been liberated, he called upon them to complain of his treatment; but the only answer which they could make was, that the matter was totally beyond their jurisdiction, and that if he had any grievance, as he seemed to have, he had better apply to the Secretary of State for the Home Department. After that time they heard nothing more of the case. He must again press upon the House the absolute necessity that some opinion should be pronounced upon this great abuse of magisterial functions. Many of the magistrates in England were most admirable men, and rendered the Lunacy Commissioners very great assistance in the administration of the law; but there were a great many who rendered no assistance, and in some measure offered obstructions to its enforcement. In this especial county of Durham the Commissioners had more trouble in getting an effective visitation of the asylums than in any other in the kingdom. Some of the magistrates did their duty well, but others did none at all. When they discovered a case in which a magistrate sent a man to a lunatic asylum, declaring that he had personally seen and examined him, when, in fact, he had done no such thing, it was time that that House should express a feeling that the law ought to be placed upon a better footing for the defence and protection of lunatics throughout Her Majesty's dominions.

THE EARL OF DERBY wished to know whether, when the reference was made to this magistrate, he was asked to reply to the two allegations—one that he had committed this man to a lunatic asylum upon the certificate of only one medical man, and the other that he had made a declaration that he had personally visited him and satisfied himself with regard to his insanity, the fact being that he had not seen him at all; and, if not, why the Home Office had abstained from making such a requisition.

EARL RUSSELL said, that being imperfectly informed of the facts, he could not give the noble Earl the information which he desired. The regular course, certainly, appeared to be that the Home Secretary should have asked the magistrate for an explanation of the circumstances; and if the magistrate was unable to deny that he had acted upon one medical certificate instead of two, and that he had not seen the alleged lunatic, the Home Secretary should have represented the matter to the Lord Chancellor.

THE EARL OF MALMESBURY, in reply, said, that he would accept the papers which had been offered to him by the Lord President; but he should expect to be told exactly what took place between the Home Office and Colonel Johnson, and in what position Colonel Johnson now stood—whether he had been rebuked or not. The impossibility of learning anything from the Government at present was another illustration of the inconvenience which their Lordships suffered from the distribution of offices in the present Administration, in consequence of which all the information which they received from certain Departments, such as the Home Office, the Board of Trade, and the Poor Law Board, came to them second-hand. Had the noble and learned Lord on the Woolsack any information on this subject?

THE LORD CHANCELLOR said, that he knew nothing about this case; but if the noble Earl would send him the papers the subject should receive his attention.

Motion *agreed to.*

House adjourned at a quarter past
Six o'clock, till Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 24, 1865.

MINUTES.]—SELECT COMMITTEE—On Taxation of Ireland Mr. Finlay *added;* Azeem Jah (Signatures to Petitions) *nominated.*

SUPPLY—*considered in Committee*—ARMY ESTIMATES.

PUBLIC BILLS—*Ordered*—Merchant Shipping Disputes *; Prisons Scotland Act Amendment *; Trusts Administration (Scotland).*

First Reading—Merchant Shipping Disputes [90]; Consolidated Fund (£15,000,000) *; Prisons (Scotland) Act Amendment * [91]; Trusts Administration (Scotland) * [92].

Second Reading—County Voters Registration (Ireland) [70] *negatived.*

Committee—Union Officers (Ireland) Superannuation [53].

Report—Union Officers (Ireland) Superannuation* [53].

Considered as amended—Herring Fisheries (Scotland) * [49].

LANARKSHIRE COUNTY PRISON BOARD BILL—(*by Order*).

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

SIR EDWARD COLEBROOKE said, he contended that on public grounds this Bill ought not to be proceeded with. The object of the measure was to enable the Prison Board of Lanarkshire to enlarge the gaol at Glasgow, and to allow them to extend the cost of the undertaking over a number of years. They had not, however consulted upon that subject the Commissioners of Supply, or the other county authorities. It was not consistent with the practice of Parliament to carry out by a Private Bill any measure which could be effected by a general Act. By the 2 & 3 *Vict.* power was given to assess Scotland generally for the purpose of building prisons, and in addition there was a power which enabled the Local Boards to assess themselves further, and so liberally had that privilege been acted upon that £200,000 or £300,000 had been raised in different counties by the voluntary assessment of the Commissioners of Supply. He contended that the proper course to be taken was that full communication should be made to all parties concerned, and that nothing should be done without the consent of the Commissioners of Supply being previously obtained. This Bill was a proposal to place in the hands of the Prison Board the absolute power to make this assessment without the sanction of those parties, and he therefore opposed it. If this Bill were passed, though the assessment could not be made without the assent of the Commissioners of Supply, yet a Parliamentary sanction would be given to a particular proposal, which had never been fully discussed, and the House would throw upon the counties the odium of rejecting it without having had the opportunity of discussing any rival project. He objected to the Bill on principle, and hoped the House would reject it, and the more so because the Lord Advocate had a notice on the paper to bring in a Bill on the subject. He begged to move that the Bill be read a second time that day six months.

Lord ELCHO said, that he seconded the Amendment solely as a matter of principle. As a Scotch Member, and having a Prison Board in the county which he represented, which might, perhaps, at one time or another take it into its head to act as the Prison Board of Lanarkshire had thought fit to do, he was of opinion that it would be well to stop the practice *in limine.* The case lay in a nutshell. An Act of Parliament gave Prison Boards certain powers, but the Lanarkshire Board not being able to raise a particular sum for the enlargement of Glasgow prison, without the consent of the Secretary of State and the Commissioners of Supply, they had brought in a Private Bill to enable them to do what the public Act would not admit of.

Amendment proposed, to leave out the word "now" and at the end of the Question to add the words "upon this day six months."—(*Sir Edward Colebrooke.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. BAILLIE COCHRANE said, there was one monstrous injustice contemplated by the Bill. Lanarkshire was divided into three wards, and, though the district with which he was connected had not for a number of years sent a single prisoner to Glasgow, the Prison Board of that city, without consulting the proprietors of the county, took upon themselves to bring in a Private Bill in direct opposition to all the principles upon which such Bills ought to be founded.

Mr. DALGLISH said, the county of Lanark was divided into upper, middle, and lower wards, but it was not a Local Board, but the county Board, nominated by the Commissioners of Supply and the proper authorities in the county, which promoted this Bill. He could say that, as far as regarded the amount of assessment, the city of Glasgow was not adequately represented by the county Board. The county Board resolved that a certain addition to the prison should be made, but it was found that they had no power under the general Act. The county Board took the best advice they could, and this Bill was the result of their deliberations. The people of Glasgow had no desire to increase the prison, it was a matter of necessity, and this mode of doing it was considered the best. He hoped, then, the House would allow the Bill to be read a second time.

Sir Edward Colebrooke

Mr. BLACKBURN said, he opposed the Bill on the ground that the Board had been elected to discharge certain duties, and that they were not entitled to go beyond them. He wanted to know if they were prepared to give power to the Prison Board to assess and do as they liked, without consulting the wishes of their constituents.

Mr. CRAUFURD said, he wished to ask would the House allow that to be done by a side wind which Parliament in its wisdom had not permitted under the sanction of the public Act? Ought they not rather to look at the question from a public point of view, and hear first what the Lord Advocate had to say when he should introduce his Bill for altering the very section out of which the present difficulty had arisen?

The LORD ADVOCATE said, the promoters of the Bill had agreed to make the exercise of their powers dependent on the Commissioners of Supply. He thought it would have been better if the Prison Board, before coming to Parliament, had communicated with the Commissioners of Supply. However he should not oppose the measure. He (the Lord Advocate) was about this evening to move for leave to bring in a Bill to amend the general law, and if that law was altered so as to allow the Prison Board to spread their assessment over a period of years and to borrow upon their security, there would not be any need of other legislation, as that would meet the difficulties which had arisen.

Question put.

The House *divided:*—Ayes 39; Noes 95: Majority 56.

Words *added.* Main Question as amended, put, and *agreed to.*

Bill *put off* for six months.

COUNTY DOWN ASSIZES—CHIEF JUSTICE MONAHAN.—QUESTION.

Sir THOMAS BATESON said, he wished to ask the Chief Secretary for Ireland, Whether he was aware that, in addition to the unwarrantable and censorial observations made by Chief Justice Monahan, reflecting on the character of gentlemen in the county of Down in their magisterial capacity, that Judge had in open court, when a Magistrate was endeavouring to explain the facts of the case, interrupted the Magistrate and refused to hear him, making use of these words, or words to the same effect, "G— d— it, Sir, it's all stuff and nonsense." It was generally credited in the county of Down that those words were used, and a great sensation had been consequently caused?

MR. COGAN said, he rose to order. He wished to know, before the hon. Baronet proceeded further, whether he had given notice to Chief Justice Monahan of his intention to bring so serious a charge against him.

MR. SPEAKER: Let the hon. Baronet ask his Question.

SIR THOMAS BATESON said, that he had given notice to the right hon. Baronet the Chief Secretary for Ireland and had made him acquainted with the words which he believed could be proved to have been used. The people of the county of Down were primitive enough not to understand the use of such language from the Judicial Bench. He also wished to know whether Chief Justice Monahan had made to the Irish Government any explanation, justification, or retractation of the words censured by the right hon. Baronet the Chief Secretary, on a former occasion, in terms for which he (Sir Thomas Bateson) begged to thank him, and whether the Chief Secretary was aware that the Magistrates on the Rathfriland Bench, in the county of Down, were acting in the case of "The Queen *v.* O'Hare and others," under the advice and instructions of the Law Advisers for the Crown?

MR. COGAN: I should wish to ask the right hon. Baronet, in addition, If Chief Justice Monahan has made any Report of this case to the Irish Government, and whether he has communicated with the right hon. Baronet with reference to the observations made by him on this affair, and if so, whether, in fairness to the Chief Justice, he will lay those communications on the table of the House, so that this House, which has heard the charges against this distinguished Judge, may hear the explanation of the circumstances connected with them?

SIR ROBERT PEEL: I think it would have been infinitely better if, after the answer I gave the other night, this question had not been put. It is true that the Magistrates did consult the Law Officers of the Crown, and that they confirmed the judgment of the Magistrates in this matter. Chief Justice Monahan has written to me with respect to what an hon. and gallant Member of this House (Colonel Forde) said with reference to these remarks. Chief Justice Monahan states to me—

> "Colonel Forde mentioned to me that some people in the County Down were of opinion that I had accused the Magistrates there of administering justice partially. I have written to say that I do not remember exactly what observations I made, but certainly I had no intention of making any such charge."

I am not aware what expressions were used by Chief Justice Monahan, and I am unable to say whether the charges are true or not, but I am only expressing the general opinion when I say that there is no more impartial or upright man upon the Irish Bench, and it was only yesterday that Lord Downshire came to me and said, "I do not know what the conduct of the Chief Justice may have been at Downpatrick, but I do not know any more just and upright man who goes circuit than Chief Justice Monahan." Those who know Chief Justice Monahan know that he is a little hasty and impetuous at times, but that he bears the character of an upright, frank, honest man. It is quite possible that in the heat of his observations he may have given way to some expressions which many might condemn, but I have no authority to state, without referring to him, that he did make use of the expressions attributed to him by the hon. Baronet.

MR. COGAN: I beg to ask the right hon. Baronet the Chief Secretary for Ireland, whether Chief Justice Monahan has reported to the Irish Government with reference to this case; and secondly, whether such Report, if any, contains any reference to the epithets unjustifiably used by Chief Justice Monahan?

SIR ROBERT PEEL: I beg again to state that what I said the other night was, that so far as my information went Chief Justice Monahan was not warranted in making the remarks he had made. The Chief Justice has written to me, and I think that if he had known all the circumstances which occurred at the sessions he would not have made use of the observations which fell from him on the occasion referred to.

MR. COGAN: I must again appeal to the right hon. Baronet to give some reply to the two Questions I have put to him. Has Chief Justice Monahan reported upon the administration of justice in the county of Down? [Sir ROBERT PEEL: He has reported.] Will the right hon. Baronet lay that Report upon the table of the House?

COLONEL FORDE said, that having the honour of representing the county of Down, he wished to make a few observations on that subject, and to place himself in order he would conclude by moving the adjournment of the House. He begged to tender his thanks to the Chief Secretary for Ireland for the prompt manner in which he had come forward to vindicate the magistrates of the county of Down; for there was no doubt that the words attributed to the Chief Justice in the local papers had been used by him. The expressions of Chief Justice Monahan in charging the petty jury in the case in question were—

> "Gentlemen, you have heard the whole of the evidence in this case; and I must say that I am very much disgusted with the way in which justice is administered in the county of Down."

The learned Judge also added that the very idea of having peace in the county when matters were conducted in that way was utterly out of the question. Now, it was not for him to justify the magistrates of the county of Down in what they had done, for their conduct was above reproach, and no body of gentlemen could administer justice more impartially than they had done. The magistrates might have done wrong in taking action in the matter. They wrote to Lord Dufferin, who was in London attending to his official duties, but his Lordship had not answered their letter when the hon. Gentleman the Member for Devizes gave notice of his question. When the hon. Member for Devizes had given his notice relating to this matter he himself wrote on behalf of the magistrates of the county of Down the following letter to Chief Justice Monahan, dated March 18:—

> "My Lord,—Having had an opportunity this day of conferring with some of the magistrates of the neighbourhood (whose names I annex) upon the subject of your Lordship's observations when charging the petty jury in the Rathfriland riot case, as reported in the *Belfast News Letter* of the 11th inst., a copy of which I send you, we beg respectfully to know if this is a correct report, as, if so, we conceive the magistrates of the county are accused of administering 'partial justice,' and that any reproach cast upon them is likely to act injuriously to the maintenance of peace. A reply, at your Lordship's earliest convenience, will greatly oblige."

On the Tuesday morning, when he should have had an answer to that letter, he was returning here and he called on the Chief Justice at Belfast, and the learned Judge expressed himself as truly sorry that any observations which he had made should have been construed in any such way; and certainly, from what the learned Judge said, he thought that perhaps his letter which followed might have been a more ample expression of his regret for what had happened than it was. He would now read to the House the letter he received from the Chief Justice—

> "Belfast, March 22.
>
> "My dear Colonel Forde,—I was detained so late in court last evening that I was unable to write to you by last night's mail, as I intended. As I stated when I had the pleasure of seeing you yesterday, I took no note of the observations made by me at the late trial at Down, nor can I recollect with accuracy what they were; but of this I am certain, that I had not any intention of stating that I considered the magistrates of the county capable of administering 'partial justice,' which you mention as the inference drawn by some from the report of the trial. Any observations I made had reference to the case then at trial, in which, from the evidence before me, I was of opinion that a serious mistake had been committed in sending for trial some of one party accused of riot, when from the evidence before me it appeared that the other party were, to say the least of it, equally culpable. It may be, as you stated yesterday, that if the facts appearing at petty sessions had been brought before me, my opinion would have been different.
>
> "My dear Colonel Forde, yours very truly,
> "JAMES H. MONAHAN.
>
> "Lieutenant Colonel Forde, M.P.,
> "Carlton Club, London."

He thought it was only fair to the magistrates of Rathfriland that he should state very shortly the case as it came before them. The case, he would say, was brought before the Judge in a very bad manner; the evidence was not properly placed before him. There happened to have been two riots on that occasion, and the Judge, unfortunately, mixed them both up together. The case was that of "The Queen *v.* Edward O'Hare and others," and the following was a statement of the proceedings upon it at Rathfriland Petty Sessions:—

> "On the 3rd of March, 1865, the adjourned case against Edward O'Hare, John Hillen, and John M'Evoy, for riot at Aughnavallog, on the 10th of February last, was proceeded with at Rathfriland Petty Sessions. For the prosecution it was proved that a riot had taken place at Aughnavallog, about one mile from Rathfriland, between half past five and six o'clock on that evening, and that O'Hare, Hillen, and M'Evoy were present, two of the accused being stripped to the shirt, and one of them using party expressions. That at same place, and about same time, a mob attacked and beat inoffensive individuals, some of whom were seriously injured. For the defence it was proved that previously to this, in the town of Rathfriland, a riot had taken place, in which were two party mobs throwing stones. No evidence was offered against any one of either party for the riot at Rathfriland, and the Justices of the Peace unanimously agreed to return to assizes informations against the three persons identified as being in a riotous mob at Aughnavallog that day."

He thought it would be seen that the Chief Justice had been misinformed in the matter, and he hoped that it might be a warning to Judges to be more careful in the observations they made at the different counties in their circuits. The advice tendered by *The Times* the other day to a young Lord who aspired to a seat in that House (Lord Amberley)—namely, to think twice before he spoke once — was, he believed, very applicable to the present case. The hon. and gallant Member concluded by moving the adjournment of the House.

Colonel GREVILLE: I rise to second the Motion for the adjournment of the House in order to ask the right hon. Baronet the Chief Secretary for Ireland if he will answer the question put to him by the hon. Gentleman the Member for Kildare (Mr. Cogan) namely—whether he will lay on the table the Report he has received from the learned Judge upon this subject. The right hon. Baronet has read a passage from a letter, but he has not stated to the House whether that letter is addressed to him personally, or whether it is the Report forwarded by the learned Judge to the Government.

Motion made, and Question proposed, "That this House do now adjourn."—(*Colonel Forde.*)

Sir ROBERT PEEL: I read a passage from a private letter. I do not think it will be advisable to produce the Report.

Mr. HENNESSY: I think it is very advisable that we should have the Report. That report implicates not the magistrates of the county Down but the Law Officers of the Crown, and that is the reason why Her Majesty's Government will not produce it. The hon. and gallant Member, who has communicated with the learned Judge, has told us that he (the Chief Justice) had no fault to find with the magistrates. The fault rests with the Law Officers of the Crown. The informations were in their hands for several days, and they sent down two Queen's counsel and two junior counsel to prosecute the prisoners. It was a Crown prosecution, and not instituted at the instance of the magistrates, and consequently they were not to blame.

Sir GEORGE GREY said, the proper course to take was, for the hon. Member (Mr. Hennessy) to give notice of moving for the production of the Report. Certainly it was very unusual to produce confidential Reports of the Judges. His right hon. Friend, when pressed for an answer, properly said he would not undertake off hand to produce a document which according to general rule was not produced. An arrangement was made to enable Members to call attention to questions on the Motion to go into Supply on Friday evenings, and that was the second time in which Members, though possessed of the power to bring forward their questions on the Motion to go into supply, moved the adjournment of the House for the purpose of doing so. He considered that that was contrary to the Rules of the House, and he hoped the practice would not be continued.

Motion, by leave, *withdrawn.*

ARMY—THE WAR OFFICE.—QUESTION.

Sir STAFFORD NORTHCOTE said, he wished to ask, Whether the Government, on resuming Supply on the Army Estimates, propose to take Vote 18 before the House has in its possession the Report of the Committee which has inquired into the War Office?

The Marquess of HARTINGTON said, in reply, that if it were the wish of the House that Vote 18 should not be taken till the Report of the Committee had been presented, he would not object to its postponement, although, of course, its postponement would be attended with some inconvenience.

EASTER RECESS.—QUESTION.

Mr. ARTHUR MILLS said, he would beg to ask the noble Viscount at the head of the Government, When it is probable the adjournment will take place for the Easter Recess?

Viscount PALMERSTON: I think, Sir, if the state of public business admits of it, the best course will be to adjourn as of late years on the Friday before Good Friday.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE IONIAN ISLANDS—PENSIONS TO OFFICERS.—QUESTION.

Mr. BAILLIE COCHRANE said, he rose to put the Question of which he had given notice to the Under Secretary of State for Foreign Affairs, Whether the Pensions assigned under Schedule B of the

Convention of the 29th March, 1864, between Her Majesty and the King of the Hellenes, have been paid in accordance with that Convention, and whether Her Majesty's Government intends to take any steps for the security of the recipients of these Pensions by placing those British subjects who served Her Majesty under the late Ionian Constitution on the same footing as Pensioners of the British Crown? The subject was one which claimed the attention of the House, not only because of the great injustice that had been done to a large class of gentlemen serving under the British Crown, but because it appeared by some recently published papers which had been placed in his hand that the conduct of the Government during the cession of the Ionian Islands had been of a somewhat extraordinary character. It was only now by means of papers which had recently arrived in this country that they had become fully acquainted with the whole of the negotiations which had been carried on at the time of the cession. The House would agree with him that it was of the utmost importance that good faith should be kept by Government with those officers who took service under them. Nothing surprised him more at the time than that so important a step as the cession of the Ionian Islands should have been taken without exciting more than one short debate. The details of that measure, all the circumstances connected with it, were not brought before the House. The papers were doled out to them, and they were never in a position to discuss the question. But that was at an end; the Ionian Islands, to their great misfortune, were ceded to Greece; and an hon. Member had informed him that when he asked a resident how soon the people there had begun to repent the change, the reply was, "One quarter of an hour after the British flag was pulled down." But what he wished to point out was that a great injustice had been done to a number of persons. The officers in the late Ionian service were divided into two classes, distinguished by Schedules A and B. Those included in Schedule A were gentlemen who had been employed for a number of years, some dating back as far as 1828, others to 1836. Many of them had been fifteen years in retirement, enjoying their pensions, not as servants of the Ionian Islands, but of the British Crown. They had been appointed by the British Crown, and were as much servants of the British Crown as the Lord High Commissioner himself. These gentlemen had subscribed to the superannuation fund, which had amounted to £75,000, but which was taken possession of by the Government at a period of great distress in the islands. These gentlemen had not only a claim on the Government, but they were to be paid their pensions and guaranteed by the British Government. Schedule B comprised officers who served in the Ionian Islands at the time of the cession, and whom it was thought right to indemnify for the loss they sustained by being turned out of the position they held without any fault of their own. It did not appear that the right hon. Gentleman the Chancellor of the Exchequer had acted with perfect fairness towards these gentlemen. The officers who had pensions under the British Government previous to the cession of the Ionian Islands were permitted to hold any office in England under the Crown but not in Greece. When the question of cession was first mooted by the lamented Duke of Newcastle, he advised them to allow their pensions to be placed on the revenue of the Ionian Islands or Greece, because if so placed they would be enabled to hold office under the Crown. Two or three gentlemen, one a Consul at St. Petersburg, and another in Asia Minor, were then in the enjoyment of their pensions, and still employed under the Crown. There was a positive understanding between these gentlemen and the late Duke of Newcastle, and it was by the advice of the Chancellor of the Exchequer that this understanding was broken. [The CHANCELLOR of the EXCHEQUER: No!] The right hon. Gentleman said "no," but it appeared from the blue-book, published at Athens, containing the negotiation and correspondence respecting the cession, and which had only recently reached this country, that in an interview between Mr. Gladstone and the Greek Minister in London, the former declared—in reply to the application of the latter—that these sums should be charged on the British Exchequer—

> "That Parliament would not vote a credit for this purpose; but he was of opinion that the amount agreed on for this object might be reduced; that the payment of the compensation might cease on any one entitled accepting a salaried office under the British Government."

And in accordance with this suggestion a proviso was inserted in the Convention of the 29th of March, 1864, and ratified in direct contravention of the promise made by the Duke of Newcastle and of the Ionian Statute Law, and without any previous intimation to the recipients of such promise. Therefore he was justified in saying that it was by the advice of the right hon. Gentleman that this breach of faith had been committed. The statement he had made to the House was made upon the authority of the gentlemen interested. One gentleman who was pressed by the Crown to take office in the Ionian Islands accepted office there upon the distinct promise that his pension would be secured to him. Two other gentlemen, who were known to the hon. Gentleman opposite, the Under Secretary for Foreign Affairs, and who knew how much they had sacrificed in going to the Ionian Islands, had no idea at the time they accepted office there that the island would be ceded to Greece, and that thereby they would lose their pensions; but they went there with the positive understanding that they were in the service of this country. He could prove to the House that the Greek Government implored Her Majesty's Government not to press for these pensions being charged against them, for the simple reason that they were not in a position to pay them, their financial difficulties were so great. He thought the House would agree with him that that was an extraordinary fact. The justice of the claims of these officers had been fully admitted by Lord Russell. His Lordship said, "I must not leave these men unprotected. I must see that justice is done." On February 10, 1864, M. Tricoupi wrote to say that Lord Russell stated with regard to the Greek Government—

> "We showed but little [gratitude to England for the great benefits she had conferred upon us in opposing a just indemnification to the English *employés*, who, without any fault on their part, lost a promising future by the cession of the Ionian Islands on the part of the British Government."

It was astonishing that Lord Russell did not see the proper way of meeting the claim—namely, by putting the pensions on the English Government. The Minister of Foreign Affairs at Greece (Mr. Delyannis) wrote to this effect—

> "We cannot accept the proposal to indemnify individuals on account of loss of salary in consequence of the cession of the Ionian Islands, because such a principle is not based upon justice."

Mr. Scarlett, the English Minister, also wrote to say that he could not strongly support these clauses of the treaty, referring to the pension of these officers, but expressed his opinion that it was not the interest of Greece to dispute them so pertinaciously. Then, Mr. Delyannis proposed, instead of a pension, we should fix a sum for an indemnity once for all. Why was that not accepted? The despatches which he had been referring to clearly proved that the difficulty had been pointed out to the Government from the first. When he gave notice of this question two months ago, the right hon. Gentleman the Under Secretary of State telegraphed to Greece and made every effort to obtain the payment of these pensions, and the pensions were then paid; but he (Mr. Baillie Cochrane) believed he was right in saying that these pensions would not be continued by the Government of Greece. Owing, he believed, to the mismanagement of Her Majesty's Government, Greece was on the eve of another convulsion. He never saw such a state of anarchy as prevailed there at present. Was he not justified in asking the right hon. Gentleman opposite whether, considering the importance of keeping good faith with the servants of the Government, they would not declare that in future the pensions of these officers, who had served them so well, and had given up professions and emoluments in this country to do so, should not be guaranteed by this country in the future?

MR. LAYARD said, that the hon. Gentleman (Mr. Baillie Cochrane) had complained that the question of the cession of the Ionian Islands had not been fully discussed in that House; but, considering the interest the hon. Gentleman took in the question, it was strange that he did not bring some Motion forward on the subject and have it fully discussed. He would not follow the hon. Gentleman through the arguments he had adduced as to the policy of the cession of the Ionian Islands. He did not think the hon. Gentleman had made out his case—namely, that the Greek Government had justly protested against the payment of these pensions; or, at any rate, that it was a very great hardship to Greece, that upon the cession of the Ionian Islands, a most valuable territory, she should be saddled with the payment of pensions which had accrued to persons in the service of the Ionian Government and not in the service of the British Government. The hon. Gentleman wanted to know whether these pensions had hitherto been paid to the persons entitled to them. He could inform the hon. Gentleman that the pensions had been paid, and if the hon. Gentleman had waited another day he would have learnt from the papers, which he (Mr. Layard) had just laid upon the table, the reasons of the delay which had taken place in the payment. It would be seen from the correspondence that the delay partly originated in the fact that the Minister at Athens (Mr. Erskine) had been under a misapprehension as to the course to be pursued with reference to the periodical presentation of the list of pensioners to the Greek Government. Shortly after the lists were presented the pensions were paid. The hon. Gentleman had complained that the Government had not got early information on the subject, but that was in consequence of an interruption in the telegraph to Athens, which was still interrupted, and it was ten or fifteen days before they could get an answer to the inquiries which we had made. He (Mr. Layard) thought it was not consistent with the respect due to a foreign Government that we should make the charge of insolvency against Greece, and anticipate that these pensions would not be properly paid. They had hitherto been paid, and he trusted the Greek Government would show their good faith in paying them regularly. If that House were to say that the English Government were prepared to pay these pensions, it would not be an encouragement to the Greek Government to pay them. The hon. Gentleman was no doubt prompted to bring this matter forward. Two gentlemen had not received their pensions at the time the money was paid over to the British Minister, but one of these, Sir Patrick Colquhoun, was determined to be a martyr. That gentleman would not go through the regular forms for the purpose of obtaining his pension. Sir Patrick Colquhoun was an old friend of his (Mr. Layard), and with every respect for him he must say that he was not justified in taking the course he had taken. He (Sir Patrick Colquhoun) had come to the Foreign Office and claimed not only his pension, but also the interest on money, which he might have received at once by writing to Athens. He (Mr. Layard) thought it was hard both upon the Greek and English Governments that they should be accused of breaking faith to Sir Patrick Colquhoun because he would not take the trouble of going through the form which the other officers went through in order to receive their money, that of appointing an agent at Athens to receive it. The hon. Gentleman had alluded to the case of persons who, having earned their pensions previously to the cession of the Islands, had since taken service under the British Government, and were declared to have thus forfeited their right to receive their pensions. No doubt this was a case of hardship, but hitherto only two persons had been exposed to that hardship. Both had been submitted to the Greek Government, and they had very properly agreed to pay these gentlemen their pensions. He had every reason to believe that these pensions would be paid in future regularly by the Greek Government.

Mr. KINGLAKE said, the gentlemen to whom he was anxious that justice should be done were far distant from this country, and were not aware of any proceedings going on in that House with reference to them. He could not think the question raised by his hon. Friend (Mr. Baillie Cochrane) had been satisfactorily answered by the right hon. Gentleman the Under Secretary of State for Foreign Affairs. These officers had been invited by the Government in England to take service in the Ionian Islands, and it was a most miserable quibble to say that these officers were the servants of the Government of the Ionian Islands. They were employed by the Imperial Government, and when that Government thought right to bring to a close the period of service of these officers in the Ionian Islands, by withdrawing from the protectorate of those islands, the Government felt bound to give them a compensation, which had always been given in similar circumstances. The moral obligation was incurred not by the Government of the Ionian Islands, but by the Government of England. It was, he knew, perfectly competent for the Imperial Government to negotiate with the Ionian Islands and say when certain arrangements took place the English Government would be at a certain expense, and therefore the Government of the Ionian Islands should recoup the amount which the Imperial Government would have to pay by way of compensation to these officers. To hand the officers over to the Greek Government was to say, "We admit our moral liability, but will not give you our cheque, but that of a young friend of ours, and we hope it will be soon honoured." It turned out from the statement of his hon. Friend the Under Secretary of State for Foreign Affairs (Mr. Layard) that although the money had been paid this year, it had not been paid at the right time, so that the future satisfaction of those just claims in reality depended upon the precarious income of Greece. It could not, however, be fairly urged that these gentlemen ought to depend for their compensation, on account of being withdrawn from other careers, upon a precarious income. He could quite understand that when the hon. Gentleman the Under Secretary of State for Foreign Affairs answered for his Department, he felt himself bound to give that answer in a departmental sense, and he was not, therefore, astonished when his hon. Friend declined to give any guarantee to those gentlemen. He would, however, ask the noble Lord at the head of the Government whether he would allow a substantial claim of this kind to be defeated by handing over these gentlemen to a Government which might or which might not pay them, and whose finances, as we knew, were in a dubious state of solvency. He did hope that one way or another these gentlemen would receive an assurance that their claims would be provided for.

THE CHANCELLOR OF THE EXCHEQUER said, that the speech of his hon. Friend was not founded upon any hardship which had accrued to these gentlemen since the cession of the Ionian Islands. It was in reality an objection to the arrangement under which that cession had been originally made. The question as to the pensions or compensations of those gentlemen was fully settled and considered at the time, and he did not believe that the House would be very much disposed to re-open a matter upon an argument which in reality should have been urged at the time when the original measures were deliberately taken. On that occasion this question was raised by an hon. and gallant Gentleman opposite, whom he perceived in his place, and the intentions of the Government which were distinctly announced met, as he regarded it, with the approbation of the House. At all events the House so far sanctioned the policy of the Government that Her Majesty's Ministers had no occasion to come to the House for a Vote of money after the decision at which the House had arrived. The time did arrive when the course of Government should have been challenged if that course were objected to, but that challenge was not made. His hon. Friend (Mr. Baillie Cochrane) had said that he wondered that the cession of the Ionian Islands had not occasioned more discussion in the House; but his hon. Friend should remember that the cession of those islands was not made in secret. The intentions of Her Majesty's Ministers were announced to the House at a very early date, and attracted a good deal of attention. If that cession, however, attracted less attention than it deserved, his hon. Friend, among others, was to blame, because it was competent for him to have expressed his disapproval of the conduct of the Government, especially as the matter was debated at considerable length. His hon. Friend who spoke last said that he felt convinced the noble Lord at the head of the Government would guarantee the payment of the pensions to these gentlemen when he perceived the justice of the case. That guarantee, however, it was not in the power of his noble Friend to give. A Bill could be introduced by the Government into the House with a view of effecting the object desired by the hon. Gentleman, and that would no doubt be done if the Government could see that such a course was necessary to procure justice to these gentlemen. But that was just what they were unable to see. No stratagem was more convenient in Parliamentary oratory than the introduction of a parenthesis of this kind into a sentence, because it enabled the speaker to elude the point upon which the whole thing depended. It was just that moral obligation, alluded to by the hon. Member, which had always been denied—or at least had never been admitted—by Her Majesty's Government. The argument of his hon. Friend really amounted to this, that this country, with her multifarious colonial relations, was bound to compensate every man who was appointed to an office in the colonies—in other words, that Lord Monck in Canada, or the Governor of any other of our colonies, had a claim upon the Consolidated Fund of this country if the colony which was indebted to him refused to perform its obligations in paying the salaries and allowances of these officers. That doctrine was an entirely new one. It had never been suggested to the House as an abstract proposition, and it would, he believed, be unwise to lay it down as such. He was not there to say what would be the decision of Parliament when any case of personal hardship was made out, but to grant the principle that a British subject appointed to an office abroad, dependent upon a Treasury different from our own, was to have a guarantee from our Government, could not, he believed, be claimed with any degree of justice by the person himself, and would certainly be incompatible with what was due to our own taxpayers. His hon. Friend opposite (Mr. Baillie Cochrane) had brought a serious charge against the late Duke of Newcastle and himself, no doubt unintentionally, which would have had a considerable sting in it but for the kind and mild manner in which he had always introduced his views to the House. It would be inferred from his remarks that the Secretary for the Colonies of the time entered into a private engagement that compensation should be guaranteed to those officers on certain terms, and afterwards that he (the Chancellor of the Exchequer) caused those terms to be overruled. For his own part he did not know that any such agreement had ever been entered into by the Duke of Newcastle, nor had his right hon. Friend the Under Secretary of State for the Colonies, by his side, ever been made acquainted with it. He must say that he possessed so much confidence in the honour of the late Duke of Newcastle that he felt convinced that no such agreement ever existed. Knowing, as he did, that no man of higher or purer honour ever took service under the Crown, he could not help saying that it was perfectly incredible that that nobleman should have receded from any engagement of this kind.

Mr. BAILLIE COCHRANE said, that he did not allege that the Duke of Newcastle had receded from his engagement. The change was made while the Duke was out of office by his successor, and the engagement to which he referred was overset, he repeated, on the advice of his right hon. Friend himself.

The CHANCELLOR of the EXCHEQUER said, that he had not described the words that had fallen from the lips of his hon. Friend. He had simply shown him what was the nature of the charges which he had made. His hon. Friend, however, was in error, because it was not true that the Duke of Newcastle was out of office when the change was made. The matter was completed during the administration of the noble Duke. If the Duke made any engagement of this kind it was his duty to have carried it out, and the statement of his hon. Friend, therefore, amounted to a charge that the Duke had receded from his engagement. He was quite sure that the hon. Gentleman never intended to make a charge against the Duke of Newcastle, and he was simply pointing out how, no doubt unintentionally, the hon. Gentleman's observations had that effect.

Mr. BAILLIE COCHRANE said, that he had never intended to imply anything of the kind.

The CHANCELLOR of the EXCHEQUER said, his hon. Friend had not laid before the House the grounds upon which he asserted that the engagement he stated had been made. What the Government had done was this:—They had insisted that the Greek Government should grant to certain gentlemen pensions or compensation for loss of office, upon a scale which was totally unknown according to the habits, usages, or institutions of any country but our own. In fact, it was only England which showed such liberality. While enforcing the necessity of performing these engagements upon the Greek Government, the English Government thought it but fair that they should have such abatement as was provided by the law of this country in case of the resumption of office by these gentlemen under the Crown. They felt it was only right that they should insist on the rule which had prevailed in this country, that officers accepting offices in other Departments should only receive so much pension as was in excess of their salaries. That arrangement he believed to be a perfectly just one. Her Majesty's Government, therefore, not only did not admit the moral obligation which his hon. Friend had urged so strongly, but they were persuaded that the course which they had pursued was founded alike upon policy and principle, and any hon. Member who disapproved their conduct could avail himself of his privileges and challenge that conduct in the House.

Colonel DUNNE said, he denied that the great number of these *employés* in the Ionian Islands were *employés* of the Greek Government at all. They were, in fact, *employés* of the English Government, as much so as any right hon. or hon. Gentleman in that House. They were taken from employments in England and placed in office in the Ionian Islands. The British authorities there did not require the consent of the Ionian Government in any manner whatever to their appointment, and, what was more, they were put under the regulations which prevailed in this country with regard to deductions from their salaries. A deduction was made from their salaries for the express purpose of furnishing retiring pensions. True it was that that fund had been taken possession of, not by the Greek Government, but by the Government of England. Most surprised, then, was he to hear the Chancellor of the Exchequer of this country repudiate the obligation on the part of England to pay these pensions. If there ever was a moral obligation to pay a retiring pension that obligation rested in this case on the English Government. It was the British Government that took possession of the fund formed from deductions from the salaries, and used it for their own benefit; and that was his answer to the right hon. Gentleman who now repudiated this moral obligation. He only hoped the Greek Government would fulfil its obligations. He was happy to hear that the pensions had hitherto been paid, and he trusted that the payments would continue to be made. As for the islands themselves, from his heart he pitied them. The anarchy existing there had been the result of the abandonment of our protectorate. Last year, at the end of the debate on this subject, he received an assurance, as far as any Government could give it, that if the Greek Government did not pay the pensions the English Government would, to some extent, recognize the claims. He had no doubt that this would be found in *Hansard*, and how the Chancellor of the Exchequer could now repudiate the moral obligation to pay went beyond his comprehension.

SIR JAMES FERGUSSON said, that in the debate of last year it was made abundantly clear that the conduct of Her Majesty's Government in this matter was much looser than that of the Government of a great country like this ought to be. His hon. Friend (Mr. Baillie Cochrane) never intended to charge the Duke of Newcastle with having departed from any pledge which he had entered into; but there was reason to fear that the Members of the present Government were not so liberal as the Duke of Newcastle. The hon. Gentleman the Under Secretary knew perfectly well that there was a document at our Foreign Office which asserted in a manner which would hardly admit of contradiction that such a pledge had been given. He believed it would not be denied that a statement, made on the 18th of April, 1864, from which the following was an extract, was in the hands of the Foreign Office. [MR. LAYARD: By whom?] The hon. Gentleman had better hear it read. This was the extract—

> "When——saw the Duke of Newcastle on the subject of the pensions and compensations to be granted to British subjects, either as pensions acquired by them under the Ionian law, or as compensations for loss of office, or both conjointly, his Grace declared on more than one occasion, not only that the British Government would undertake to see these pensions paid, but pointed out the superior advantage of a Greek over a British pension, because it would be in addition to and tenable with any future employment under the British Crown, and he added that he would place his opinion in record on this point, in such a manner as should bind his successors."

The hon. Gentleman could easily ascertain who the person that made the statement was, for he (Sir James Fergusson) was not sure that he was at liberty to mention his name. The hon. Gentleman had twitted his hon. Friend with not having brought on the subject at the time of the cession of the Islands. But the reason was because the facts were not known to Parliament. It was only within a short time that the papers containing the correspondence of the British Government upon these points had been laid before the Greek Parliament, and the Greek Government maintained that to throw the burden upon them was in the first place unjust, and in the second place more than they were able to bear. Over and over again the Greek Government declared that they could not undertake to indemnify our officials. On the 31st of January, on the 1st of February, and again in March they refused to accept the obligation. And when at length they did decide on accepting the extraordinary expenditure, of the legality of which they said they were not convinced, they were unable to meet punctually the demands of the pensioners, or if they did meet them it was with great difficulty. Was it too much to say that, surrounded with difficulties as the Greek Government was, they would not for the future be able to meet the claims of those gentlemen? Were they, therefore, to be utterly thrown adrift and never to receive the payment which they had a right to expect? How could it be said that they had no claims upon us when there was in the Foreign Office a statement which distinctly showed that a pledge had been given to them?

MR. CAVENDISH BENTINCK said, he had heard the Under Secretary of State for the Foreign Department with great astonishment, because the hon. Gentleman made no reference to the original appointments. Sir Patrick Colquhoun, Sir Charles

Serjeant, and one or two others, were most certainly officials of the protecting Power, their appointments being made under the Constitutional Charter of 1817. By Articles 4 and 5 of that Charter, the justices of the Supreme Court were to be appointed by the protecting Power, and paid, not by the Ionian Government, but out of a sum of money, amounting to £13,000 per annum, which was set apart out of the revenues of the Ionian Islands, and was paid to the protecting Power, not to the Ionian Government. These officers were appointed and dismissed by the Colonial Office of the protecting Power, and the Ionian Government had no power to interfere. These officials were therefore not the officers of the Local Government; they were not appointed by the Local Government; their salaries were to be paid by the protecting Power, and to that Power, therefore, they ought to look for their pensions. Neither the Ionian Government nor the Greek Government, to which the powers of the Ionian Government had been transferred, were liable for the payment of the retiring allowances. He said, then, that there was not only a moral obligation on England to see these pensions paid, but a legal obligation also. Did the right hon. Gentleman mean to say that those gentlemen would have taken office had they known that in a short time the Islands would have been ceded to Greece, and they themselves left to the tender mercies of the Government of a bankrupt kingdom? Of the right hon. Gentleman's comparison of these appointments with colonial appointments in general he would only say it was a quibble. There was no independent Member who did not admit the claims of these officers. He hoped that Her Majesty's Government would take them into consideration, and that justice would be effectually done.

DIGEST OF PARLIAMENTARY PAPERS.

MOTION FOR A SELECT COMMITTEE.

MR. W. EWART, in moving for a Select Committee on this subject, said, that hon. Members might well be forgiven for feeling a good deal of dread of blue-books, because of late years it had rained blue-books — Pelion had been piled on Ossa, and Ossa on Olympus. It had been sarcastically remarked that if you wanted to hide a question the best plan was to bury it in a blue-book—you might then defy anybody to excavate it. And if you were praised in a blue-book your fate was certain—

> "Cum scriptore meo capsâ porrectus apertâ,
> Deferar in vicum vendentem thus et odores,
> Et piper, et quidquid chartis amicitur ineptis."

The subject had been repeatedly considered, not only by Committees of the House but by the House itself, and the desirability of such an arrangement as he was about to suggest had been universally admitted. In submitting the Motion on the paper he had in view two objects—one being the convenience of Members, and the other the diffusion among the people of sound information on political questions. The difficulty consisted in having two sets of blue-books, the one containing the original documents *in extenso*, and the other simply the substance of the information contained in them carefully abridged and condensed. There was at present an immense waste of public money in printing blue-books, which were for all practical purposes wholly useless—the public never looked into them, and their end was to find their way to the waste-paper dealers. One suggestion for preventing the useless accumulation of these blue-books was, that they should be stopped *in initio*, and abridged before they were printed. No doubt it was important to abridge as much as possible in this stage, but it was also important that too much should not be cut away. He believed that their librarian, Mr. Vardon, to whom hon. Gentlemen were so much indebted, did curtail these voluminous publications, to which Commissions of Inquiry seemed to contribute very largely. He believed that one of those Commissions had given in 39,000 questions, and on being expostulated with had said they had intended to have sent 80,000. Mr. Hume had devoted himself to the Printing Committee of the House of Commons, and Mr. Tufnell moved for a Committee with a view to circulate these blue-books among mechanics' and other institutions. Little, however, had been done, and indeed you could hardly expect that the members of these institutions should read with attention such ponderous volumes. On the other hand, efforts had been made by private individuals to provide condensed abstracts of these papers, somewhat similar to what he now asked for. He should much prefer, if possible, that it should remain a matter of open competition; but these abridgments, though executed by men of great talent, had not been successful in a pecuniary point of view. There was an able publication called *The Parliamentary Record*, by Mr. Charles Ross, which was exceedingly well arranged, and as well digested as a book could possibly be. He did not know whether the book was still issued, but while it was issued *The Parliamentary Record* was a very valuable publication. Mr. Toulmin Smith also issued a valuable publication, *The Parliamentary Remembrancer*, which gave much information as to current political literature; and Messrs. Smith and Elder published a third book, called *The Annals of Legislation*, which was edited by Mr. Leone Levi, was much consulted by foreigners, and was a most useful publication. Although, however, these gentlemen had devoted their time and talent to the work, he understood that, owing to their peculiar nature, they had not been successful in a pecuniary point of view. Mr. Hansard came under a different denomination. A certain number of copies were taken from him by the Government and distributed among the public offices, and this support, along with that of private purchases, enabled him to carry on his undertaking. Now he (Mr. Ewart) did not know for what use we had a statistical department of the Board of Trade if it was not to render service in such matters as this. This department issued yearly a valuable paper called the *Statistical Abstract*, which was known to and highly valued by foreigners as well as Englishmen; and if they were able to furnish so good an article in respect of figures, he thought they might furnish an equally good article in respect of facts. It was the opinion of the late Prince Consort that the statistics issuing from the various Departments should be combined and issued in a condensed form, avoiding the repetitions which now frequently occurred owing to their issue from different departments. He thought that the convenience of the Members of the Legislature would be greatly consulted by the issue of such digests as he proposed; and he thought also that if the English people were really to be worthy of the political franchise, they ought to be supplied with the means of political education, and with information which was now often unavailable in blue-books. He trusted that some assurance would be given that the Board of Trade was not so inert as people supposed, and would employ itself in the useful work he had suggested.

MR. KINNAIRD, in seconding the Amendment, reminded the House that two Sessions ago a Committee was appointed to consider the expediency of providing a compendious Record of Parliamentary Proceedings for the use of Members. The Home Secretary, Mr. Massey, the hon. Member for Kilmarnock (Mr. Bouverie), and other Gentlemen of experience served upon that Committee, and after evidence had been taken a unanimous opinion was expressed as to the extreme inconvenience of the system under which these blue-books were now piled upon the House. Certain practical suggestions were then made—as, for example, that this House should procure the Journals of the Lords, which were now generally one or two years in arrear. An amazing amount of useless literature was at present forthcoming; but what was really wanted was some guide to current political literature, an alphabetical register of the publications and the business of the Session, giving the dates of each proceeding. The Report contained some very useful suggestions on this and other points; but nothing was done, and he hoped the attention of the Government would now be turned to the subject, and that the result would be some practical measure.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is expedient that a digest or abridgment of Parliamentary Papers and Blue Books be provided from time to time, and consolidated into one or more volumes at the close of each Session, under the authority of the Statistical Department of the Board of Trade, for the convenience of Members and for the diffusion of information among the public at large,"—(*Mr. William Ewart,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. J. R. YORKE, as a young Member of the House, thought that nothing was more depressing to the spirits and trying to the temper than the attempt to extract a few simple facts out of the mass of documents which now encumbered one's rooms. Last year he found that nearly 1,000 of these Parliamentary Papers were issued, containing upwards of 50,000 pages, at a cost of £67,000. It was lamentable to reflect what a large proportion of this expenditure might be said to be entirely thrown away, for the great mass of these volumes found their way to the waste-paper dealers. He would suggest that the large number of copies now printed *in extenso* were not necessary, and that if a small number were printed and deposited in the British Museum, the public libraries, and other places, so as to be readily accessible for reference, that would be quite sufficient for all public purposes. If a digest giving something like a history of the various matters to which the documents referred were provided, it would greatly further the convenience of Members, and would also effect a considerable saving of public money. If such a plan could be adopted, there arose the further question—by whom was it to be carried out? Supposing that the Government were to undertake the duty, he believed that in practice the fairness of the extracts given would be called in question. The undertaking would offer few temptations to private enterprise, as unfortunately but little public interest was exhibited in respect of public documents to hold out the prospect of a profitable return. For that distaste on the part of the public, the House probably had itself to blame for presenting facts in so repulsive a form as at present. Another suggestion was that the Speaker should be intrusted with the superintendence of the work; but he doubted whether the right hon. Gentleman in the Chair would be willing to add to his already arduous duties such a novel responsibility. The only practical plan appeared to be for the Government to follow the example of *Hansard's Debates*, and to guarantee to the publisher the sale of a certain number of copies, which would encourage private enterprise to undertake the task. It would, of course, be necessary that the work should be intrusted to competent hands, and if any particular person could be indicated, as well qualified for the duty, he might mention the name of Mr. Leone Levi, who for the last seven years had been conducting the *Annals of British Legislation*, a very valuable work. He thought the Motion was a very useful one, and he hoped the Government would give it their support.

MR. PEEL said, that as his right hon. Friend the President of the Board of Trade wished to reserve himself for a question that was to come on later in the evening, he would say a few words upon the Motion. There was no doubt that, under certain circumstances, a work of the nature indicated by the hon. Member, well executed, and brought out promptly, would be an advantage, inasmuch as they would have presented in a portable shape the information now spread through voluminous Returns, but it could not effect any saving in the expense of Parliamentary printing. The hon. Gentleman desired to have an abridgment of Parliamentary papers; but that pre-supposed that the Parliamentary Papers were first printed. Even if the abridgment were to precede the printing, he should doubt whether it would prevent the necessity of printing *in extenso* all the documents that were called for by Parliament, or were presented by command. No abridgment could be made so authoritative as to dispense with the papers in full. It was possible that such a work as that proposed might have the effect of reducing the number of copies of documents that were printed; but that at present the Printing Committee of either House considered themselves at liberty in the case of subjects of minor and local importance to reduce the number of copies of papers to be printed. But had the hon. Gentleman considered how small a proportion of Parliamentary papers were of more than ephemeral interest, and were worth the labour of being abstracted? The House would remember that in respect of a considerable number of Parliamentary Papers —those relating to commerce — a most valuable abstract was already to be found in the *Statistical Abstracts* of the Board of Trade. There were also the copious Indices to *Hansard*, which were very well prepared. So that the Motion of the hon. Gentleman would apply principally to Foreign Office papers, of which it would be difficult to prepare a satisfactory digest. Then, supposing that such a digest was desirable, there came the question, by whom should it be prepared? It might be done under the authority of the House, by a Department of the Government, and reference had been made to the recommendation of a Committee which sat in 1862 upon the subject of another work, which was a digest of Parliamentary Proceedings. But there was a great difference between a digest of the Proceedings of Parliament and a work which professed to be an abstract of all the papers presented to Parliament, which was a far more difficult work. The Committee referred to recommended that the assistance given should be limited to a certain subsidy in aid of private efforts. The work of Mr. Leone Levi which had been mentioned was, no doubt, a valuable work, but it had not been a profitable undertaking in a pecuniary sense. An abridgment of Parliamentary Papers was also to be found in the *Annual Register*. All those works were, no doubt, deserving of public favour, but it would be a disagreeable task to select one to be supported by a public grant. As the hon. Gentleman's proposal now made varied from the Notice on the paper, he trusted that there was no intention to press it, but that the hon. Gentleman would be satisfied with the discussion which he had originated.

MR. ARTHUR MILLS suggested that the Government had the power of limiting the number of papers that were presented, and thereby of reducing the expenditure under that head. He especially referred to the class of "unopposed Returns," which were moved for and granted without attracting any notice, which cost sometimes large sums of money and great expenditure of time to prepare, and which, after all, were never read by anybody. An hon. Member might move at a late hour of the night for an unopposed Return, it was put and carried, and the whole proceeding occupying about half a minute; but the printing of the Return might cost £1,000. It was no argument against a digest of valuable papers to say that a vast number of the papers that were laid upon the table were useless.

MR. THOMSON HANKEY thought the right hon. Gentleman the Secretary of the Treasury had rather overrated the difficulty of complying with the suggestion of the hon. Member for Dumfries (Mr. Ewart). At present they had annual Reports on the Post Office, Inland Revenue, Customs, Board of Health, and Poor Law Board, and these were most satisfactorily abstracted in Mr. Leone Levi's publication. What was really wanted was something like the abstract information comprised in Mr. Leone Levi's valuable work. *Hansard,* useful as it was, could not be carried on without a subsidy in the shape of a subscription for copies. Something of this sort might be done with regard to the suggested abstracts—at any rate, it was worth consideration.

MR. HENLEY said, the question seemed to be taking two forms. It was said that a great many Parliamentary Papers were printed that were useless; and then, on the other hand, it was proposed that somebody should have something for printing digests of these useless papers. But Parliamentary Papers, to be really useful, must be full. Suppose they had set a wise man to digest the Danish Papers. What would he have had to do? Would he have had to come to a conclusion upon them? In that case his digest might have hanged the Government or exonerated them. Again, when a Committee presented its Report, it recorded its conclusions, and perhaps they were arrived at by a very narrow majority, after numerous divisions. Then immediately hon. Gentlemen turned to the evidence to test the value of those conclusions. But were they to set some one to digest that evidence over again, perhaps bringing out a Report directly opposed to that of the fifteen gentlemen who had sat on the Committee? Unless they proceeded carefully they might get into a great deal of useless expense; they would be saddled with the same material twice over — once *in extenso,* and again in little. In talking about printing useless Parliamentary Papers, hon. Gentlemen forgot the multiplicity of subjects which engaged the attention of Parliament. The House of Commons was like a pack of hounds—one hunted one thing, and another hunted another; and they were not like a good pack either, for they would never go off together on one scent. Directly one took up a subject somebody else took up the other side; then they wanted all sorts of information, that they might pick out their points and battle over them, and by this means the truth was got at. No doubt the *Statistical Abstract* was a very valuable document, and it was prepared very much from Parliamentary Papers; but the principle of that *Abstract* would not apply to the Reports of Committees and Commissions, the printing of which was the chief expense. These abstracts might do for people who merely took a cursory view of things, but they would not be used as authorities, nor could they be put into anybody's hands to make them authorities. However well the digest might be made, whoever wanted an authority must go direct to the fountain head. He would give no opinion as to taking a number of copies of a publication, in order to assist private undertakings of works of this nature, but he hoped the House would not be deprived of the means of obtaining the information they now got from the blue-book.

MR. POLLARD-URQUHART hoped that the Secretary of the Treasury would endeavour to carry out the idea of the hon. Member for Dumfries, which he thought was exceedingly useful and would be the means of diffusing a great deal of valuable information throughout the country. He would suggest that means might be found by restricting the number of blue-books and Parliamentary Papers now printed to what might absolutely be required.

Mr. BUTLER-JOHNSTONE said, he had found Mr. Levi's publication of great use to him in following out the course of legislation, and he had no doubt that a digest of Parliamentary information would be of great utility; but he doubted whether a grant of public money ought to be made for preparing it. In 1854 a Committee had recommended that selections from the Parliamentary Papers should be presented to mechanics' and other institutions in the country; but it had been found impossible to make these selections on account of the voluminous nature of the papers. The House was bound to carry out the suggestions of the Committee. He thought this was a public view of the matter which the House might consider. The expense would be small, and the value immense. No one who had read the digest which had been referred to could say that there was any party spirit running through it. It was a wise way of giving the public the knowledge of the general course of legislation which Parliament was pursuing. If it was found that there was any party spirit pervading this selection of papers it would be open to the House to stop the small subsidy, and throw the matter into the market for others to undertake. He was sure this would be of great value, and he trusted the Government would not refuse it.

Mr. W. EWART said, he would withdraw the Motion.

Amendment, by leave, *withdrawn.*

THE THAMES AND ISIS NAVIGATION.—OBSERVATIONS.

Mr. MALINS said, he rose to call the attention of the House to the Petitions of the General Committee of the Thames and Isis Navigation, and the Mayor and Corporation of the Borough of Wallingford, presented to this House on the 7th of March; and to put a question to the President of the Board of Trade relating thereto. He said the object of these petitions was to point out the present state of the navigation of the upper portion of the river Thames above Staines, and to show that the locks and weirs had fallen into a state of decay; and unless something was done the navigation of that great river would become a thing of the past. Since the establishment of railways the traffic of the Thames above Staines had decreased; and of course the revenue had decreased. In the petition of the Commissioners it was pointed out that in 1845 their revenue was £14,000. In 1846 it fell to £11,000; and it had gone on diminishing year by year until in 1864 it only amounted to the insignificant sum of £3,097. The consequence of this was that it became absolutely impossible for the Commissioners to discharge the duties imposed upon them by keeping up the navigation of the river. He ought to explain that the part of the navigation of the Thames of which he spoke was not under the Thames Conservancy, whose powers stopped at the City stone, above the bridge at Staines. At that point commenced the control of these Commissioners, and it extended to Cricklade or to Lechlade, beyond which the river was not properly navigable. Along this line, between Staines and Lechlade, there were thirty-five locks, and of course weirs and other works, to be maintained, which were maintained by means of the revenue raised from tolls. The Commissioners had been empowered by various Acts to borrow to the extent of £100,000. Their present debt was £88,000. That originally carried interest at the rate of 5 per cent. They were obliged gradually to lower the interest, and now the interest had ceased altogether to be paid. The consequence was that the creditors who had lent this money were dissatisfied. Some of them wished to take possession of the navigation, and would, if anything could be made of it. But so far was it from being possible to make anything of it that the Commissioners in consequence of want of money, had been compelled to discharge all their workmen, and the river was unproductive. There were 170 miles from Staines to Lechlade in this state of decay, the locks and weirs from non-repair being almost useless. It was, therefore, to be apprehended that the water would no longer be kept within its proper channel, and that by floods and otherwise the river would be diverted from its present course and become a succession of deep pools and shallows. It was not only with reference to the navigation he was speaking, but with reference to the supply of water for the various purposes of life to which this river was applicable; and this being the river which communicated with London, the great metropolis of England, the question was whether the Government could acquiesce in the present state of things. He contended it would be a disgrace to England if they allowed this magnificent river and important water highway to fall into decay. He and many of the hon. Members present, including the Chancellor of the Exchequer, and the hon. Members for the City of London, although he might not be aware of the fact, were *ex officio* Commissioners; and he thought they ought to sympathize with the acting Commissioners in their difficulties. But he was afraid none of the *ex officio* members of the Board had done their duty. The petition stated that the Commissioners were ready to do everything they could, but they could not find the funds. The question which he wished to put to the President of the Board of Trade was, whether he was prepared, on the part of the Government, to recommend the appointment of a Royal Commission, or a Committee, or to take any other step, with a view of remedying this lamentable state of things? Either private or public money must be found for the purpose. The Chancellor of the Exchequer shook his head at the suggestion of public money being found; but were the Government to see this great highway in a state of ruin for the want of a few thousand pounds? Mr. Leech, the Surveyor of the Thames Conservancy, in his Report stated that all the locks and weirs were falling into decay. A deputation which he had the honour to introduce to the President of the Board of Trade last summer stated that at that time £20,000 would be sufficient to put the whole in a complete state of repair, and that if an arrangement could be made with the old lockowners for a uniform rate of toll the revenue might be raised to such an extent as to be sufficient to pay the Government interest at the rate of 3½ per cent, also to pay the creditors and the expense of keeping the navigation in repair. The Commissioners had a difficulty to contend with owing to there being certain private lockowners, who, though their locks were not used, under an Act of George III. were still allowed to charge the same tolls as they were entitled to receive when the traffic passed through their locks. The Commissioners had for several years past been trying to induce the old lockowners to reduce their tolls, and in June last they made another attempt at an arrangement based on a system of payment in one sum for all through traffic at greatly reduced rates. They obtained the assent of a majority of the owners, but the arrangement fell through because a small minority stood out. The revenue of the river had dwindled from £14,000 a year in 1845 to £3,000 in 1864, and in the present year it would probably be still less. The banks were rapidly falling into decay; and he wished to know whether the Government were prepared to take any steps to prevent the navigation from continuing in a state which was a reproach to the nation?

Colonel KNOX said, that the locks in certain parts of the river were entirely gone, and if any serious flood took place it was impossible to tell what damage might not be caused to the various properties on its banks. A large portion of the water supply of London came from the works at Teddington, and they were now constantly precluded from working the mills on the banks of the Thames by the want of water. A great waste of water arose from the locks being out of repair and not performing the functions for which they were intended. That great water highway ought no more to be suffered to go into decay than any highway in the country. He made a suggestion last year which he thought worthy the attention of the Government and the House. The locks might easily be kept in good repair by means of a very infinitesimal rate, the fractional part of a penny in the pound, upon the property in the counties through which the river passed; and if the Government would bring in a Bill with that object he was sure it would meet with the approbation of all those counties, for it was essential to the water carriage of their coal, timber, and other materials that the navigation should be maintained. He trusted that if the Government would not take the matter into their own hands they would at least allow a Committee to be appointed to inquire into the subject.

Mr. MILNER GIBSON said, that a deputation who had waited upon him at the Board of Trade had stated very much what his hon. and learned Friend had done, and they had informed him that the upper navigation of the Thames from Staines to Lechlade was almost in a hopeless condition, and that it would probably be destroyed unless something was done. He certainly thought that the navigation of the Thames was a very important matter, and that if it were possible it ought to be maintained, but it ought to be maintained like other navigations — namely, by the proceeds from the traffic. His hon. and learned Friend had stated that the railways had interfered with the traffic on the river, and that, in consequence, the income of the Commissioners had been brought down to virtually nothing, and that they were now unable to pay the interest on the money borrowed. But he would ask whether any steps had been taken for the purpose of enabling the river navigation competing with the railways? He believed that nothing had been done. The tolls now charged were of the same amount as of old, tolls too high to allow the traffic to increase and give a chance to a canal or river to compete with a railway. He believed that on the lower part of the river—from Staines to London — which was under the control of the Thames Conservancy Board —a very material reduction in the tolls had been made, and that the consequence was an increase in the tonnage over that carried before the construction of the railway. The Commissioners, in their petition, stated that if the works necessary were executed, the tolls which would be received would be amply sufficient to maintain the works and leave a surplus. No doubt the situation of the Commissioners was a very difficult one, and they could do nothing without the assistance of Parliament. They must come to terms with the old lock-owners, and they must make better arrangements in the management of the river. The Government would agree to the appointment of a Committee, who should inquire into the condition of the navigation of the river, and see whether any measures could be devised by Parliament to enable the navigation to be self-supporting. Nobody could tell what the produce of the tolls would be when some new system were adopted. He could not say that this Committee was to have the power of recommending that the navigation should be maintained at the public expense; but if it could be shown that there would be a fair and proper security for advancing money in a mode similar to that adopted in connection with public works, why of course that would be a different matter. He wished it to be distinctly understood that the Government would not consent to the appointment of the Committee with any understanding that there might be a recommendation that the river should be a public burden. He was sorry to say that he had been informed by competent engineers that the original construction of the locks was defective. They were so shallow that they would not admit barges passing through drawing a sufficient depth, that was, barges suited to carry cargo sufficient to be profitable. That was an unfortunate state of things. It was something beyond the mere question of keeping the locks in repair. However, as he had said before, the Government had no objection to the appointment of a Committee of Inquiry.

Mr. HENLEY said, he was glad to hear that the Government were willing to accede to an inquiry, but thought it would be better that it should be conducted by a small Commission instead of by a Committee of that House. Such a Commission, with proper scientific aid, would obtain for them more valuable information than they could hope to get by a Committee, before which, he feared, they would only have persons bringing up a crowd of witnesses from Reading, Oxford, Wallingford, Merton, and other places on the river, all intent on establishing a case for their own particular localities. Full information on the whole subject was indispensable before they could have any sound legislation on that matter. A Commission would also be less expensive than a Committee. When they looked at the Thames in its course from Lechlade to the Thames Conservancy it would be seen that there were parts of the river which might be maintained as a navigation, and other parts which ought to be given up. Then there were conflicting interests, such as the old locks, the Commissioners locks, and the mills, to be considered. He believed that a Royal Commission, small in number, containing a due scientific element, would obtain a mass of information which would enable the House and the Government to come to a sounder conclusion than a Committee of that House, which must call before it a crowd of witnesses from the respective localities. He agreed with the President of the Board of Trade that the present was not a case for aid by public money. The navigation ought either to be self-supporting or ought to be abandoned, but if these interests were not to be kept up it became a question how they were to be let down. These works were maintained under Parliamentary sanction. All the magistrates of all the counties through which the river ran were, he believed, Commissioners, and they formed together a body as numerous, he supposed, as that House itself. The river was divided into districts, and now that the Commissioners had got no money the works were going to wreck and ruin.

Something must be done, and the Government might fairly be called upon to ascertain the facts by inquiry. If they would see the way to a remedy they would not only confer a great benefit on the public, but obtain a great deal of credit for themselves. He must, however, protest against the suggestion thrown out by an hon. Member of levying a penny in the pound on the counties for the maintenance of the navigation. The only effect would be to give a bonus to canal navigation against the railways. He believed that the transit from Oxford to London by this navigation occupied some six weeks, and even more, in the summer months, and that the cost was two or three times as much as was charged by the railways, which did the work in twenty-four hours. There were, however, parts of the Thames not near to railways where there was a heavy timber and coal traffic, and here the river navigation might be profitably kept up. If a Select Committee were appointed they must summon witnesses before them, and the expense of these witnesses would be paid by the public. The Commissioners, on the other hand, would go into the various localities, and would obtain the necessary information a great deal better and more cheaply.

MR. LOCKE said, that as one of the Commissioners, he concurred in the opinion that a Royal Commission was far preferable to a Select Committee, because it would be absolutely necessary to go into the districts and to see the locks and weirs in order to enable them to give an opinion that might be relied upon. He was told that the navigation from the Severn to the Thames was in such a state that the tolls alone between Bristol and London amounted to more money than the whole charge for the same goods by railway. If so, it was by no means extraordinary that the goods traffic on the Thames should be so much diminished. If locks fit for these barges were made, it would be still doubtful whether the river navigation could compete with the railways. If they could not, who was to pay for the works, and would it not be necessary that the counties should have a rate levied upon them? They were all agreed upon one thing, that the river must remain navigable and that the banks must be kept up. The question of the pollution of the river deserved attention in connection with this subject. If a Board composed of a smaller number were to be set up in the place of the present 800 Commissioners, its duty might be more clearly defined, and some regulations must be laid down for preventing the discharge of the sewage of towns into the river. That was as important a matter as the repair of the weirs. The whole question ought to be referred to the Commissioners, who should inquire and report the names of the towns and places the sewage of which now polluted the stream above Staines. The Thames Conservancy had recently been most advantageously remodelled upon the recommendation of a Committee of that House. They obtained an injunction to prevent the discharge of the sewage of the town of Kingston into the Thames. The sewage works were consequently stopped, and the question would shortly be argued before Vice Chancellor Sir Page Wood. If the learned Judge should declare the emptying of the sewage of Kingston into the Thames to be illegal, a first and important step would be taken for the purification of the river.

MR. NEATE said, he was very glad to hear that the Government recognized the great importance of this subject. It was, indeed, a branch of one of the most important questions that could be brought under their consideration. The Thames Commissioners were not a trading body, but they had discharged the duty cast on them, so long as they had the means, to the best of their power. When their revenue was taken from them, they were wholly unable to discharge that duty. Their revenue had been taken by the effect of past legislation. There ought to be an inquiry either by a Committee or a Commission. He did not think they would be able to dispose of the whole question without a Commission; but it might be very desirable to begin with a Committee, as the House already possessed a considerable amount of information on the subject. The most important and pressing point was to vote some money. They could very soon come to a Resolution on that subject. They wanted a considerable sum, and the body had undoubted claims on the public. They wanted an advance of money, not as a gift but by way of loan, and they would be able to offer for it very reasonable security. He thought the appointment of a Committee would be the best mode of dealing with the subject in the first instance.

MR. SHAW LEFEVRE said, that as representing one of the towns (Reading) immediately interested in this question, he wished to say a very few words upon it. The case, he thought, was very analogous to that of bankrupt turnpike trusts, which often came before the House. No doubt it involved a great many important questions. It was not only a question of traffic, but of the health of many of the towns on the banks of the Thames. He believed the traffic would be found to pay if the tolls were diminished. He had been informed that a part of the town of Reading was likely to be flooded if the locks were suffered to pass into decay. He trusted something would be done in this matter even during the present Session.

Mr. WALPOLE said, he was not connected with any of the towns on the banks of the Thames, but as a member of the great community here, he could not but feel a deep interest in this question. It was, as stated by the hon. Member for Oxford (Mr. Neate), a branch of the greatest question that could occupy the attention of the House in a social point of view. He could not compare it to the case of a bankrupt turnpike trust, because the burden of maintaining the highways had been thrown on parishes. He agreed with his right hon. Friend (Mr. Henley) that it would be hardly just to throw on the county rate the duty of keeping up the highway of the Thames. It was not the inhabitants of the county that benefited. The whole of the inhabitants of England benefited by the keeping up the highway of the Thames. The navigation of the Thames was only one part of the question. It was a very important part; but so long as there were railways it would be found impossible to compete with the quicker mode of transit, except for heavy goods. What had been stated by the hon. and learned Member for Southwark (Mr. Locke) was very important—what was to be done with the drainage which ran into the Thames above the metropolis? Even that was not the only question. He earnestly entreated the Government to consider the necessity of keeping the fullest supply of water they could in great navigable rivers for the use of the community. If they established water companies to supply London and the suburbs, they drew so much water away from the Thames, and were thus constantly diminishing the volume of water. He believed it would be found on inquiry that the effect thus produced on the river within the last twenty-five years had been very material, and if the volume of water was diminished they could not have that reserve of supply they required for the growing wants of the community. It became, then, a very grave question how the metropolis was to be supplied with water. He thought nothing but a Commission could properly deal with this question. The Commission should be small, consisting of scientific and skilful persons, well acquainted with the subject, who could inquire into the effect of the different works going on, draining, and the abstraction of water, the failure to keep up the weirs and locks; and when that information had been got they would be able to determine what was best to be done.

Mr. AYRTON said, he thought the question was one very easy of solution. In former times the conservancy of the Thames had been intrusted to the Justices of the Peace for the county in Quarter Sessions, but below Staines that duty was intrusted to the City of London. But when the trade and commerce of the City increased to a vast extent, the duty was vested in a Board, which was empowered to keep the river in order from its mouth to Staines. What was required, then, was to make the Board more efficient as regarded that part of the river above Staines. If the Thames Commissioners could not perform their duty the matter should be put into the hands of the justices of the counties through which the river flowed, and they could appoint committees of conservancy to take care of the river, and among other things to see that it was not polluted by sewage from the towns on its banks. Unfortunately, the present Board, in consequence of a decision of the other House last year, had not all the powers with which the House had desired to invest it. The heavy tolls paid on the rivers led to the traffic being transferred to the railways as soon as these were established; but now that the rivers had lost their value for purposes of navigation it was clearly according to the principles of the Constitution to put them back into the hands of the local magistrates, who would form admirable Boards of Conservancy in their several districts. Having the whole of the county funds at their disposal, they could be at no loss for means, while the tolls which were obtained from the river would, of course, be applied in diminution of taxation. There was no great need for inquiry; some practical proposition of the nature he had suggested could easily be worked out, the local magistrates having the example of the metropolis before their eyes, and if energetic measures were taken in this direction, the river would soon be in the condition which everybody desired to see. He did not think the view taken by the right hon. Gentleman (Mr. Walpole) was quite accurate. Instead of having drank the Thames dry, the fact that it was lower at some seasons than it used to be was, he believed, attributable to the system of thorough drainage. Instead of rain being absorbed in the soil, and gradually filtering back into the river, it now passed off very rapidly, and there was no longer the same storage of water in the ground to maintain the supply which there used to be in old and exploded systems of farming. Some misapprehension, he thought, existed as to the actual state of the Thames. Some time ago he was talking to a farmer living on the banks of the river, who maintained that the water was not so good for agricultural purposes, and did not fertilize so much as it used to do. His reason was that the moisture, instead of soaking downwards, and carrying with it dust and soil to the river, passed straight down to the drains, and no longer carried with it the same amount of nourishment. The argument might be worth much or little, but anyone looking at the Thames could judge for himself as to the cleanness of the water. He had often been along its banks, and he knew that it was one of the finest and purest rivers flowing in the world. River water had the power of purifying itself to a very great degree, but alarm was created by people calling themselves chymists who got water and kept it in a bottle till it began to smell disagreeably, pursuing with regard to it a course exactly opposed to that of the Thames itself, the waters of which were always running. More mischief was done by a few stagnant ponds here and there along the Thames than by the whole volume of water in the river itself from end to end of its course. It was important to bear these facts in mind, because a great deal of feeling had been excited by the Report of the Royal Commission appointed by the Government. Royal Commissions always started a theory and endeavoured to get up a cry with the object of persuading the country that the Commission ought to be permanent and every one of the Commissioners in receipt of good salaries. Some Royal Commissions had been guilty of most extraordinary proceedings. One which took up the subject of experimental farming, when questioned as to the operations undertaken, admitted that they had been pursued regardless of expense; and he believed the Commissioners were now being sued by the landlords for spoiling the land which they professed to farm. These results were achieved, of course, with the object of instructing the country. The recent outcry about the state of the Thames he believed to be perfectly unfounded, but it was very desirable at the same time that the management of the river should be in good hands.

Sir HARRY VERNEY said, he must protest against the doctrine laid down by the last speaker that the management and conservancy of the Thames ought to be paid for out of the county funds. There were some counties of which the river only touched the border, and in which the ratepayers consequently could have little interest in the solution of this question compared with residents in the metropolis. He believed that there was no more important question for consideration than the drainage of river basins; and his conviction was that if such basins were properly drained they would be much more fruitful, and that the public health would be promoted. The cost of such works, however, should not fall upon the county rate, but upon the inhabitants of the district drained.

CANADIAN RAILWAYS.—QUESTION.

Mr. AYTOUN said, he would beg to ask the Secretary of State for the Colonies, Whether it is the intention of the Government to ask the sanction of Parliament, during the present Session, for a guarantee of a sum of money required to complete the railway from Halifax to Quebec. Even if the Government had no such present intention, he should like to know the reasons which were considered to justify such a guarantee at this or at any other time. He was induced to ask the question because he was informed only a few months ago that surveys for the purposes of the proposed line were going forward. In order to complete the line from Halifax to Quebec, he believed that 400 miles of railway must be carried through a most difficult country, in which the hills were composed of rocks, and, the rivers being numerous, engineering difficulties of magnitude presented themselves. It being tolerably evident that the works never could prove remunerative, it became important to ascertain on what grounds the Government imagined that a guarantee might be granted hereafter. Two reasons had been given for the guarantee in the correspondence — one that it would be useful for commercial purposes, and the other that it would be useful for military purposes, by carrying troops on their way from this country to Canada. The line, however, passed through a strip of the country between the St. Lawrence and the United States sixty miles long and thirty-five broad, so that the railway would be within two days' easy march of the American frontier; and therefore he could not understand how the line could be useful for military purposes. For commercial purposes it would be useless for six months in the year, because it could not compete with the St. Lawrence when that river was open to navigation; and he had been informed by an engineer who knew the country that such a line could not pay its working expenses. Why should we guarantee money to make a line to carry our goods to Canadian Custom Houses, where they would be more heavily taxed than they would be on entering France. It was only by asking questions upon isolated subjects like this that the House was able to ascertain in what direction the policy of the Government was tending. He asked the Secretary of State for the Colonies whether it was the intention of the Government to ask the sanction of Parliament during the present Session for a guarantee of a sum of money required to complete the railway from Halifax to Quebec, or whether the idea was abandoned, and upon what ground, and if hopes were still held out to the colonies that ever such a guarantee could be recommended by the Government of this country? He hoped the right hon. Gentleman would also state upon what grounds he thought such a guarantee could be defended.

Mr. CARDWELL said, the whole of the information upon this subject was already on the table. It must be perfectly well known to his hon. Friend that the greatest interest was felt in the North American Colonies in the completion of the communication by railway between Halifax and Quebec. He must know, also, that proposals had been made by the different Colonies, and the Duke of Newcastle, in the name of Her Majesty's Government, entered into certain engagements which were to be carried out upon certain conditions being fulfilled by the colonies. The whole of the correspondence referring to these proposals was upon the table. If, within a period of about two years, according to the terms of this correspondence, the colonies should come forward and fulfil their conditions, he (Mr. Cardwell) should feel it his duty, on the part of Her Majesty's Government, to fulfil the obligations which Her Majesty's Government had contracted, and make a proposal to the House, and he hoped his hon. Friend (Mr. Aytoun) would think that the proper time for stating to the House the reasons for that proposal would be when the period arrived for making it. As at present advised, he (Mr. Cardwell) had no intention to make any such proposal in the present Session of Parliament. At the same time, he must guard himself to this extent. His hon. Friend knew that when the conference at Quebec proposed to adopt that most desirable scheme, the union of the provinces of British North America, one of the conditions which were kept in view was the completion of the intercolonial railway. Her Majesty's Government, in giving their cordial approval of the scheme of the confederation, had given also their cordial approval to the Resolution with regard to the railway. If the colonies put themselves into a position to complete the railway the time would come when Her Majesty's Government would be called upon to fulfil their engagements. When the time arrived, however, he should be perfectly ready to state his reasons to the House for the proposal.

LABOUR ORDINANCE FOR INDIA.

QUESTION.

Mr. HENRY SEYMOUR said, he would beg to ask the Secretary of State for India, If he will promote a Labour Ordinance for India, or certain parts of India, similar to that now in force in Ceylon; and if he will cause to be remedied the great want of roads in the important district of Wynaad? The tea and coffee plantations in India had become a most important branch of industry, and an increasing amount of revenue was being obtained from them to this country. The planters in India, however, experienced a difficulty which was not felt in other of Her Majesty's colonies. There was no proper law existing between master and servant in that country, and the planters had no power to compel labourers to keep their contracts. When the planter in Ceylon brought his Coolies from India, as he constantly did, he knew exactly what his expenditure would be, and he could compel the labourers to perform their contracts; but, strange to say that in India, where there were millions of acres of magnificent land lying waste, with her population going east and west to cultivate land in other countries, there was no labour ordinance to give security to the capitalist. When an Englishman went out to India and bought an estate for the purpose of cultivating it, he found, after going to the expense of gathering labourers from various places on that vast continent, that upon any day they might all leave him bodily, and there was no law to protect him. A meeting of the planters of the southern districts of India had been recently held upon this subject of labour ordinance, and they were unanimously of opinion that the labour ordinance which existed in Ceylon, and which had worked so well for the last twenty years, ought to be extended to India. When a gentleman in India invited a guest to dinner, the butler came in—not to announce that the dinner was ready, but that the cook had resigned. This was a very serious question. A planter might have 200 or 300 labourers, and he would find some morning that they had been bribed, and had gone to gather in some other person's crop. There were 1,000,000 acres in the south of India upon which tea and coffee might be grown; each acre would cost £100 to bring it into a proper state of cultivation, so that £100,000,000 of capital might be well employed in that part of India alone. The profits of the planters in the southern districts were represented at about 50 per cent, and as there was a deficit in the exchequer of India, he thought it would be a matter of interest to the Secretary of State for that country to encourage as far as possible the expenditure of capital in India. English capital and English energy were bid for in every part of the world, and they were taken to America, Australia, and every other part of the civilized and uncivilized world except India. Considering that the right hon. Baronet (Sir Charles Wood) would have in the course of a month or two to announce a deficit in the Indian budget, it would surely be worth his while to compete a little for that English energy and capital which went everywhere except to India. It was surprising that a labour ordinance had not been introduced into India long ago. In many parts of the country the planters were leaving for want of that support which the Government had it in their power to give them. The local governors in India dismissed all complaints in a very summary manner, as they knew their superior would not find fault with them, and that the right hon. Gentleman the Secretary of State was many thousands of miles off. Nor was he particularly well disposed in favour of a European population in India, and the consequence was that the revenues of the country had not been so productive as they ought to have been, and the land remained to a considerable extent untilled. The meeting of planters to which he had referred was also unanimous as to the want of roads in the district. This had been a want felt for the last ten or twelve years, and they had always been assured by the right hon. Gentleman the Secretary of State for India that roads were being made. Roads were always being made, but, somehow or other, not a single road had been completed. He could not understand how it was that such a want of energy should be displayed by the authorities in India, or why they should so neglect those sources of wealth which were open to them. It could not be because they had an overflowing treasury, for when his right hon. Friend paid off somewhat too prematurely two millions of Indian debt he little, in all probability, anticipated that he would have to come down to the House of Commons and announce a deficit in the course of the present Session. He might, however, have paid off that debt to the extent which he had done, had he only availed himself of the inexhaustible resources which India offered. He seemed to think, however, that there was some undefinable danger in expending British capital in India, and the result was that India remained unexplored, and the Indian Exchequer unreplenished to the extent which otherwise might be expected. A deficit existed in the Indian revenue. He believed that deficit would be diminished by the construction of reproductive works such as those which he then recommended. There were men who spent forty years of their lives in India, and who returned from it quite fresh, and he therefore saw no reason why the district to which he referred should not be colonized by Europeans, if the matter was only taken up by the Government in a proper manner. Such colonization had answered perfectly well in Ceylon, but, be that as it might, the waste lands which his right hon. Friend had promised should be sold had been for some inexplicable cause left unbought. He should like to know what stood in the way of the sale, for it appeared that in Assam a considerable portion of land had been purchased. Those were all matters which deserved the most serious consideration of the Government, and he hoped they would receive their deliberate attention.

Sir CHARLES WOOD said, his hon. Friend urged him to incur a very considerable expenditure with a view to increasing the Indian surplus or diminishing the deficit. He could not, however, see how that object was to be attained by heavy expense for the construction of the roads which he advocated. He (Sir Charles Wood) admitted that the execution of the roads referred to was most desirable and necessary, and regretted that they were not more rapidly made. He believed that the roads had been made piecemeal, and he feared they were not well done—but orders had been given which he trusted would remedy that evil. He so far concurred with his hon. Friend that after the Report of Sir W. Denison, who had gone out to India last autumn, he had given instructions that roads, which he quite granted were very much needed, should be proceeded with in a more systematic way, and should be completed within a certain time. With respect to the coffee and tea districts, he found that there was an increase of about 2,000 tons a year in the production of coffee, and that the Assam tea, the production of which also was, he believed, on the increase, commanded a very good price in the London markets. His hon. Friend, however, adverting to another subject, complained that there was no law in India placing on a proper footing the relations between master and servant; but the fact was, that the question having been considered by the Law Commission in this country it had been placed upon that footing which the most able jurists deemed to be the best. Beyond that, the question of importing labour from one part of the country to another had been carefully considered with reference to the tea districts of Assam, for the introduction of labour into which a sepcial Act had been passed two years ago. He regretted, however, to say that the result had not realized the expectations which had been formed, owing to circumstances over which legislation had no control. It should, in dealing with the subject, be borne in mind that the introduction of labour into small islands like the West Indies or Ceylon, and the control of the arrangements for the Coolies, was a comparatively easy matter; but that when labourers were brought into a vast and perfectly wild country, to the sort of life prevailing in which they were unaccustomed, these regulations were attended with considerable difficulty. In the former case the labourers were easily placed under a system of supervision which in the latter they naturally became much less manageable. Into the particular district of Wynaad almost all the labourers came from Mysore; and, as they generally went there only for two or three months, that permanent sort of contract to which his hon. Friend alluded could not well be established. They regarded their new employment only as a temporary matter; from which they returned to their own homes as soon as the coffee harvest was completed.

Mr. HENRY SEYMOUR observed, that all he said was that a law ought to be passed under the operation of which a servant could not, as at present, leave his master the very next morning after he had engaged to enter his employment. He would have a servant, if he failed to keep his contract with his master in India, punished by imprisonment in the same way as in Ceylon and other colonies of the British Empire.

Sir CHARLES WOOD said, he understood his hon. Friend to have cited the case of Wynaad, and to have contended that a law with regard to labour similar to that which prevailed in Ceylon should be introduced there with the view of producing similar results. The circumstances under which labour was obtained both in Ceylon and the West India Islands was altogether different. The experiment had been tried in Assam, where a special law had been passed authorizing a system of Coolie labour precisely analagous to that which existed in Ceylon, and entire failure had been the consequence. Indeed, the operation of the law, so great were the cruelties practised under it, amounted almost to enforced labour. In reference to the deception practised on Coolies, he would read the following extract from a letter of the Commissioner of the Decca division to the Secretary to the Government of Bengal:—

"The deception lies in this, that a Coolie from the upper part of India has no idea of the country to which he is going when he enters into his contract in Calcutta, and the utter wretchedness of life in a plantation only opens to him when he reaches his destination. He naturally tries to escape, and the planter in his duty to himself and his employers of course tries to prevent him, and as the planter has a contract into which the Coolie is supposed to have entered voluntarily he is not likely to listen to the Coolie's plea of ignorance."

If these poor fellows complained to the magistrates they were treated as if they had absconded. The existing state of things was thus described by Deputy Commissioner Cachar's assistant—

> "But in too many gardens the labourers are flogged with frightful brutality, and for offences of the most trifling description."

He would not now go into details as to what took place under the management of these people. He would simply read the following extract from a communication made by a magistrate of great experience:—

> "The magistrate was opposed to the maintenance of the Act, on the ground that the power given by it was liable to be much abused, so as to become a powerful engine for enforcing slavery."

The object of all this was to introduce a modified system of what, to use the mildest terms, might be called forced labour. The people of America, in going into the backwoods, had no necessity for legislation to enforce labour, as they were able to hold out sufficient inducement to procure the services of people willing to work for them. He believed it would be found that kind treatment and good wages would be far more effectual in keeping the labourers on the estates than the enforcement of any system of pains and penalties which could be suggested.

ARMY—DEPOT BATTALIONS.

EXPLANATION.

The Marquess of HARTINGTON said, before you leave the Chair, Sir, I wish to say a word or two in explanation of something I stated a few nights since in reference to the subject of Depôt Battalions, because I regret that what I then said should have occasioned some misapprehension in the minds of the Inspector General of Infantry and of some of the officers in command of these battalions. I said on that occasion that I believed that officers in command of regiments generally preferred that young officers and recruits should join the head-quarters of their regiments at once, instead of going first of all to the depôt battalions, because, when they joined their regiments, they had frequently to spend some little time in unlearning what they had previously acquired at the depôt. Now, I did not in the least mean to say that recruits or young officers usually learnt anything at the depôts which was in any way injurious or contrary to the principles of the drill to which they would afterwards be subjected. All I meant was that regimental officers generally had their own system, and that they liked their recruits to fall into that system as soon as possible. If an absolute uniformity of drill and discipline prevailed in the British army, then the depôt battalions or some such system would be necessary, but in the ordinary relations of our army such absolute uniformity does not exist. Therefore, without in the least degree discrediting the exertions of the Inspector General of Infantry and the officers in command of the depôts, I think that the efficiency of the British army will not be injured by the abolition of the depôt system. I only wish to state now that nothing could be further from my intentions, and from the opinions of the Secretary of State and the Commander-in-Chief, than to impute the slightest fault to the Inspector General of Infantry or to the officers in command of depôt battalions, because I believe that they are not only most excellent officers but that they admirably discharge the duties of their office.

CANADA—DEFENCES OF QUEBEC.

OBSERVATIONS.

Lord ELCHO said, that he had given notice of a Motion in Committee of Supply to call attention to what was reported to have been said in the Canadian Parliament relative to the Vote for the defences of Quebec. He had been told as a matter of form he could not bring on the Motion in Committee of Supply, and that it would be convenient for him to do so on the Motion for going into Committee. It had been suggested to him that as it was an important subject, bearing, as it did, upon the whole question of our defences, the opportunity for bringing it before the House would be on the bringing up of the Report on the Votes which they were to consider that evening. As he understood that there was no objection to this course, he should call the attention of the House to the subject on Monday evening next, if the Report were brought up at an hour sufficiently early to enable him to raise a discussion on the subject. If the Report, however, were not brought up until late, he should give notice the first night on going into Committee of Supply.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

Supply *considered* in Committee:—Army Estimates.

(In the Committee.)

(1.) Original Question again proposed,

"That a sum, not exceeding £811,400, be granted to Her Majesty to defray the Charge of the Superintending Establishment of, and Expenditure for, Works, Buildings, and Repairs at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."

Sir FREDERIC SMITH said, he wished to learn from the noble Marquess the reasons which induced the Government to increase their barrack accommodation while they contemplated a reduction in the number of our troops. He perceived that there was an Estimate for the purchase of Warley barracks. Those barracks were sold to the East India Company, and he wished to know whether they were to be purchased back from the Company, and, if so, whether at the same or at an increased price. There was also an item for the purchase of land and additions to the infantry barracks at Windsor upon which he should like to receive some information. Those barracks were only required for the accommodation of Her Majesty's Guards. But as there was to be a reduction in the number of men in the battalions of the Guards, and as the barracks were considered large enough for that portion of our army when they were maintained at their full strength, he wished to know why additional accommodation was now required for them. There was an item, too, for the conversion of Haslar barracks into a hospital. He never knew any barrack that was more unfit for conversion into a hospital than Haslar Barracks. The expense would be £7,500, and he saw no necessity whatever for this step. Under the head of Woolwich a sum of £26,000 was taken "for erecting stabling for the military train and for converting the garrison hospital into a barrack." He should like to know what would be the cost of each of these operations, and what troops the hospital, when converted, was to receive. He regretted that Parliament had given its assent to the erection of a new hospital at Woolwich; because the old hospital had been considered to afford ample accommodation for the sick of the garrison, even in times when the amount of sickness was above the present average. Then as to items abroad. Under the head of Bermuda there was a sum for the defences of the dockyard and for the naval anchorage. He remembered the importance of that item being pressed on the House, and no one who knew the importance of these defences could doubt the advisability of granting the money now asked for readily. He found that £35,000 was to be voted in the present year, and a much larger sum hereafter; but if there was a pressing urgency for the completion of the defences of Canada it was still more necessary that Bermuda should be put in a good state of defence, so as to be able to receive and protect our vessels in case of damage. He thought it behoved the Government to press these works forward with as much zeal as the works in Canada. Then there was a sum of £10,300 for officers' quarters at Gibraltar. They ought to know for what these quarters were required. Then there was a Vote for officers' quarters at Fort Ricasoli, at Malta, and some explanation ought to be given of that Vote. For the defences of Nova Scotia and New Brunswick, the total Estimate was £190,000, of which £45,000 had been expended, and £35,000 was to be taken for the ensuing year, leaving £110,000 to be hereafter voted. These were works of vital importance, and ought to be pressed forward with all possible speed. Would the expenditure of £35,000 render these colonies defensible, or would it only go towards making the defences complete at some future day? The mere collection of stones and other materials would do little or nothing for immediate defence. Money enough ought to be taken to enable those materials to be applied to defensive purposes at the earliest period. The Government ought to take as much money as could be rendered available for the progress of the fortifications between this time and the corresponding period of next year. It had been said that there was a scarcity of skilled labour; let that be supplied by sending out some companies of engineer soldiers which are composed almost exclusively of artificers. The defences of Mauritius were so nearly completed that it would have been as well to have taken this year the £19,000 which was needed to finish them, as the £10,000 which the House was asked to vote. Upon the defence of commercial harbours we have already expended £154,000, leaving with the £10,000 asked for this year £280,000 to be spent. The House ought to know whether the Government intended to lay out the whole of that sum upon the works originally contemplated; and especially what they intended to do at such harbours as Newhaven—which the Duke of Wellington described as one of the most important points along our coast as a harbour for gunboats, occupying as it does so important a position immediately opposite the coast of France. As to the Clyde and the Tyne, he regretted that they should be left so defenceless, for in case of war, if our fleet were worsted, there would not be room to refit them in the Government basins and docks of the Channel, but they would have to be taken into the commercial rivers or into the Medway. He should be glad to hear something from the noble Marquess as to the intention of Government with respect to these rivers.

SIR HARRY VERNEY said, that in referring to the item of £10,000 for stabling of a more permanent character than that at present existing in camp at Aldershot, he wished to know whether Government intended to make any change with regard to that military station. Nothing could be more useful than to have a camp of instruction during the summer. But it was the universal feeling among the officers of the army that a sufficient amount of training for the troops might be obtained by placing them under canvas during the summer months, without compelling them to undergo the inconvenience and discomfort of living in huts during the winter, especially considering the short period the troops had to remain in England. The hardships undergone by the soldiers at Aldershot were regarded as one of the greatest objections to a military life; and, therefore, he was desirous of knowing whether it was the intention of Government to perpetuate the occupation of Aldershot, as would appear to be the case by their proposal to erect permanent stables there. He further asked to be informed why the general commanding the forces at Aldershot was obliged to rent a house two or three miles away from the camp, while there were three empty huts in its proximity suitable for his accommodation, reserved for the use of high official personages. He thought it a pity that the commander should not live on the spot, for, to compare the practice here with that of France, he (Sir Harry Verney) had visited the camp at Chalons, and not only did the general live within the camp, but the Emperor stayed there when he paid the army a visit. He could not agree with the hon. Gentleman who had objected to the erection of the Military Hospital at Woolwich, as he regarded that building as being one of the greatest boons to the army. So far from its being unnecessary it was a fact, that at the time when it was decided to build that hospital, the invalids were living in tents around the other hospital, from want of accommodation. The sanitary condition of the army was now so very much improved that there was reason to expect that in future the average would only be 4 per cent of sick in hospital. It was now between 3 and 4 per cent, whereas it used to be between 6 and 7 per cent, and at that time the authorities required provision to be made at the rate of 10 per cent. The Herbert Hospital at Woolwich, together with Netley, would go far towards perfecting the general hospital system, and he was happy to find that it was intended to erect a third at Devonport. With regard to the defences of Canada, he should like to know whether Colonel Jervois's plan had received the approval of that able officer Sir John Burgoyne. The army felt that any system of defence which met with Sir John Burgoyne's approval must be one of the greatest value and importance.

COLONEL DUNNE said, that he objected to the system adopted by the War Department of increasing the amounts originally voted by the House for specific works by certain additional sums which, as no notice was given of them, might be passed over without due inquiry. He also objected to the throwing away £3,000 for improving the defences of the Tower of London, which could be riddled through and through by guns from batteries placed above them, say at the Trinity House, which were exposed to musketry fire from every store, and St. Katharine's Docks, and which could not exist an hour if attacked by modern artillery. He had himself some years since, when Clerk of the Ordnance, with the assistance of the Secretary at War, put a stop to these ridiculous works. He did not know whether barracks were wanted there, but he was glad to see expenses were to be incurred for drainage and other works at Gibraltar, which he trusted would include the supply of water to Point Europa, where some years since the soldiers were compelled to buy it.

He also called attention to the insufficient hospital accommodation at Bermuda, where in 1853 great mortality had been caused by the yellow fever. Although the attention of Government was then called to this fact—by a special Report forwarded to the War Department condemning the hospital and suggesting various sanitary improvements—no steps had been taken to alter the state of things, and the result was that the disease had again broken out a short time since, when no less than 100 men were lost out of the regiment stationed there. Out of a total expenditure of £800,000 for the defences of the Empire, only £37,000 was devoted to the defence of Ireland; and yet Ireland was called on to pay more than her proportion of the £5,000,000 raised for fortifications. Would it be asserted that in case of war Ireland was not to be defended, or that Ireland was indefensible, were America to attack us? Was it to be doubted that Ireland was the point where she would attempt invasion? In the French war Ireland had been attempted at more than one point. At Bantry Bay the army of Hocke had only not succeeded, and yet all the fortifications for its defence were mouldering or in ruins, while sums were thrown away in erecting useless batteries merely for Volunteers to practice gunnery. He might ask, was Ireland to be considered a part of the Empire, or to be delivered to an enemy in time of war? In that country they would not trust the militia with the custody of arms, nor were Volunteers to be enlisted—yet he well knew, and the Government could not deny, the most distinguished officers commanding in Ireland had made Reports to the Government of the necessity for better defences in that part of the Empire. He hoped the noble Marquess would direct the attention of the Secretary for War to this among other points that had been mentioned in the course of the discussion on the Army Estimates.

Colonel DICKSON said, that he concurred in the remarks which had been made as to the enormous sums spent at Aldershot. There had never been any system more mismanaged than our camp system, and for our army it was one of the greatest curses that had ever existed. There was one point which particularly struck him in the Army Estimates year after year, and that was the increase in the establishments. Great credit had been taken for reductions, but the reduction in the Army Estimates for the year had not been caused by any economy in the Departments, but simply by a reduction in the number of men, because he believed we could not get them. In the present Estimates there were items that did not appear last year. The charges for the allowances to three officers of the Royal Engineers, temporary draughtsmen, &c., and the establishment of clerks at the War Office, exceeded by nearly £2,000 the charge of last year.

Sir JOHN PAKINGTON: Before the noble Lord answers the various inquiries that have been put to him, I wish to ask him a question with reference to the items charged in the Estimates for the defences of Bermuda and Halifax. I find both in the Army and Navy Estimates an unusual number of Votes of the greatest possible importance to the defences both at home and abroad. The Estimates, on account of which these Votes are to be taken, include in the aggregate a very large sum of money, especially for our home defences; but I find that in almost every case insignificant sums only, comparatively speaking, are taken for the present year. And I cannot help regarding with some suspicion the motives of the Government in asking this year for portions of those Votes, so entirely insignificant both with regard to the magnitude of the objects in view and with the total sum to be expended. A worse or more unworthy policy I can hardly imagine than that when a Government has decided that a large sum ought to be expended in constructing important works for the defence of the country—and they have no reason to suppose that Parliament will take exception to them—they should be spreading the Votes over a great number of years; and I can suppose no other reason for anything so unprecedented of itself than timidity of swelling the Estimates for the current year. It is both unwise and impolitic, and there can be no doubt that a desire to keep down the expenditure is the reason for proposing so small a Vote for the defences of Canada. I now find there is a Vote of £35,000 for Bermuda, and also a Vote of £35,000 for Halifax, and what I wish to ask the noble Marquess is, whether or not he is prepared to state upon his official responsibility that these two sums are as much as can be properly expended in the current year? If he is not prepared to do that, I think the Government are failing in their duty in not asking for a larger sum. I will accept the noble Marquess's assurance in the face of Parliament on his official responsibility that more than is asked for cannot be expended in the current year, but if he cannot give that assurance, why then I say that the Government are failing in their duty in not asking for a larger sum.

Mr. AYRTON thought that the Government was to be commended for not making a larger demand for those works. It appeared to him that the course they had taken was a very natural one, especially in the last Session of a Parliament. The Government would shortly have to account to the constituencies, and therefore it was natural that at the present moment they should be more than usually mindful of the public interest. The Government were not to be blamed for not proposing to expend more on these very unsatisfactory establishments abroad, in order to gratify hon. Gentlemen opposite.

The Marquess of HARTINGTON said, that with reference to the "allowance to those officers of Royal Engineers especially employed," increased from £766 last year to £1,150, it had been caused by the fact that this year we had undertaken new works at Bermuda, in Canada and at Halifax. For the same reason there was a charge for additional draughtsmen who must be employed at the commencement of those works to prepare the plans necessary for the contractors. It did not follow that they would be employed during the whole progress of the works. The increase in the Vote for clerks at the War Office was occasioned by the transfer of those charges from Vote 18 to this Vote. Objection had been taken to the Vote of £60,000 towards the purchase money of Warley Barracks, which formerly belonged to the Indian Government. It was resolved at the amalgamation of the Indian and Imperial armies to take those barracks for the Crown. He could not give the former history of these barracks, or answer the question whether they had been originally built by the Indian Government, but the price paid was arrived at by a proper valuation made by competent persons. Some remarks had been made upon the item for the reform of the eastern defences, Tower of London; but, as the Vote was only £2,000—the residue of £11,500—to complete the work, it was hardly worth while to criticize it. It was not pretended that the work ever would be of the least use for defence against an enemy; but, as all the ancient fortifications of the Tower of London were falling into decay, if it were wished to preserve the character of the building, it was necessary to expend some money upon repairs. The next item which he had to notice was the Vote of £5,500 for converting barracks into an hospital at Haslar. The hon. and gallant Member opposite said that Haslar Barracks were wholly unsuited for an hospital, but that opinion was not shared by the Barrack and Hospital Committee, who had reported that those barracks were peculiarly fitted for the purposes of an hospital. The reason why those barracks had become available was that a considerable amount of barrack accommodation had been provided in the new works at Gosport, but no additional hospital accommodation had been provided for the garrison of those works. With respect to the item—£26,000—for erecting stabling for the Military Train, and converting the garrison hospital at Woolwich into barracks, he might observe that hitherto no barrack accommodation had been provided for the Military Train, who had been quartered in huts for the whole year at Aldershot and at Woolwich, which the House would agree was rather hard upon them. The hon. Baronet (Sir Harry Verney) had explained the reasons which induced the late Lord Herbert to embark in the expenditure upon the hospital at Woolwich. Many statements had been made concerning that hospital, which were devoid of foundation. It had been stated that the building was not adapted for the purposes of an hospital, and also that there were very serious faults in its construction. The truth was that that hospital had been constructed upon the plan of the best modern hospitals in London and in Continental towns, upon plans recommended by a Committee which was appointed to inquire into the subject of hospitals, and upon the plans more directly sanctioned by the Barrack and Hospital Committee in 1858. He believed that the medical profession generally agreed that the hospital was constructed upon the best principles. As to the alleged faults of construction, although it was true there had been a slight slip of earth where a portion of one of the pavilions was built and a small crack had appeared in one of the walls, yet the damage done was very slight, and the foundations had been examined by competent persons, who reported that there was no danger of further accident. The next item to which his attention had been called was that for the defences of the dockyard and anchorage at Bermuda, in connection with which he would take the item for defences at Halifax. Colonel Jervois, who was sent to report upon the defences of Canada, was also instructed to inspect the defences of the harbours of Halifax, and Burmuda. Considerable works had been going on for some time at Halifax, but hitherto none of any importance had been undertaken at Bermuda. Colonel Jervois recommended additional works at Halifax and that they should be proceeded with more rapidly. That officer also made several recommendations with regard to Bermuda, and accordingly an item had been placed upon the Estimates for defensive works at that island. In reply to the question of the right hon. Baronet (Sir John Pakington), he could not say that it would be impossible to spend more money than the Government proposed to spend this year upon those works; but he was prepared to state that in framing the Estimate the Secretary for War had consulted Colonel Jervois as to what sums of money could be properly expended this year at Bermuda and Halifax, keeping in view considerations of economy and completeness. The amount which Colonel Jervois mentioned as required for Halifax had been placed upon the Estimates. Although it would not be impossible to proceed at a faster rate with those works, yet if they did so the cost would be very much increased, as labour could not be obtained in very great abundance on the spot. With respect to the amount asked for Bermuda, it was true there was a slight decrease of the amount recommended by Colonel Jervois. That decrease was very slight, and it was made because, upon further consideration, it appeared that a larger sum could not be usefully expended this year. It was impossible to calculate upon obtaining a sufficient supply of labour on the island. The black population was not very disposed to work, and the white population was well employed in other ways. If labour was imported from this country, unless very high rates of wages were given, the vicinity of the United States would offer a great inducement to cross to that country. If the works were to be carried on at a very rapid rate it could only be done by military or by convict labour. The garrison at Bermuda was at present small, and there was not accommodation for any very large increase of force. It was proposed to carry on the works with convict labour, but there were objections to the employment of convicts upon works of that kind, and the authorities at the Home Office had not yet decided whether they would allow a body of convicts to be sent to Bermuda. In any case, much time would be required to construct huts and to make other arrangements for the reception of the convicts, so that it was not probable that a larger sum than that placed upon the Estimates could be usefully expended this year. With respect to Halifax, it must be recollected that the working season there was short, and, consequently, a smaller sum could be expended in the year than in places where work could be carried on throughout the year. The sum taken for Halifax this year was larger than had ever been taken before, and although it would not complete the works, yet it would be sufficient, added to former expenditure, to place the works in a condition to resist an enemy's fleet. The money taken this year would be expended in preparing the existing works to receive heavier guns, and in providing accommodation for the repair of iron steamers. With regard to the hut barracks at Gibraltar, the site originally fixed was near some officers' quarters; but the site had been changed since the Vote was taken, and it was necessary now to provide officers' quarters. As to the officers' quarters at Malta, they were said to be almost the worst in existence. There had been a great deal of sickness among the officers quartered in them, attributed to their character, and this work was considered one of a pressing nature. The works at Harwich were nearly complete, and the contract for the works at Newhaven had been let. With regard to the Vote for the fortification of commercial harbours, part of that would be devoted to works on the Severn; and it was also proposed to commence a work at Liverpool, on the Mersey, the appropriation for the erection of which would be augmented by a contribution from local funds to be supplied by the corporation of that place. As to the small amount said to be devoted to Ireland, it must be remembered that the sum taken this year in the Estimates for fortifications in the United Kingdom was not large. The expenses of fortifications at home was almost entirely defrayed from the loans. The hon. and gallant Gentleman (Colonel Dunne) was aware that works were going on in Ireland at places recommended by the Commission, and the Committee would hardly think it right that they should begin erecting works in other parts which had not been recommended by any military authority. The decrease in the barrack expenditure in Ireland was owing to the fact that the concentration of troops in camps at the Curragh and Aldershot had led to a great many small barracks being given up.

SIR FREDERIC SMITH said, that the noble Lord had said nothing about the Windsor Barracks.

THE MARQUESS OF HARTINGTON said, this Vote was owing to the fact that the infantry barracks at Windsor were extremely confined, and not sufficient for the accommodation of troops according to the modern notions of accommodation. They might be made much superior to what they were now, but the greatest fault was their confined space, which rendered it necessary to purchase additional land to expand them.

SIR JOHN PAKINGTON said, he must acknowledge that the noble Marquess had answered his questions in a manner which showed that he was thoroughly conversant with the complicated details of these Estimates. Still, the answer he had given to one or two of his questions rendered it necessary to ask him one or two more. He could assure the hon. Member for the Tower Hamlets (Mr. Ayrton) that Gentlemen on that side of the House had not urged the Government to expenditure on these matters; all they had done was, when the Government had stated on their responsibility that such expenditure was necessary for the interests of the country, to suggest that it should not be spread over a period of time thereby causing unnecessary delay. The noble Marquess said that Colonel Jervois had recommended the expenditure of £35,000 at Halifax, but that he had recommended at Bermuda a larger sum than was asked for. What was the difference between the sum actually taken and that recommended? He also wished to know whether the Government had come to any decision as to the employment of convict labour on these works at Bermuda.

SIR FREDERIC SMITH said, he wished to ask why the labour of soldiers—engineers—which was known to be so much cheaper in the erection of such works, was not employed. He believed they could easily be spared.

THE MARQUESS OF HARTINGTON said, he thought he had a right, before answering the right hon. Baronet's question, to protest against its nature, though he did not object to answer it. The Committee could not expect that any one representing a Department in that House should be called on to state the precise nature of the confidential recommendations of the officers of the Department in reference to any work of this kind.

SIR JOHN PAKINGTON said, the question was founded on the information given by the noble Lord himself to the House.

THE MARQUESS OF HARTINGTON said, he had stated that Colonel Jervois had been sent to Canada to inspect the works there, but did not imagine that the Committee would require the precise nature of his recommendations. As regarded the works at Quebec, Halifax, and Bermuda, Lord De Grey represented to Colonel Jervois that it was desirable no unnecessary delay should occur in their construction, and therefore asked him what amount of money could be expended during this year. £35,000 was mentioned for Halifax, £40,000 for Bermuda, and £50,000 for Quebec. But it was thought by the Government that £35,000 was as much as could be usefully spent in Bermuda this year. The Government were much obliged to the hon. Member for the Tower Hamlets (Mr. Ayrton) for defending them, but they had thought it right to take in every case the largest sum which they thought could be spent in the year.

SIR JOHN PAKINGTON: What about convict labour?

THE MARQUESS OF HARTINGTON said, that question was still under discussion. It had been thought right to refer it to a Committee, which, if it had not met already, would meet in a day or two.

COLONEL DICKSON said, the Government had initiated whatever irregularity there was by publishing Colonel Jervois's Report, and he was surprised they should now object to give information. But why had Colonel Jervois been sent out there at all? We had in Canada the flower of our army, comprising several distinguished engineer officers, and why were not they consulted? Colonel Jervois was one of our most distinguished officers, but then he had seen no service, and had been Secretary of that Defence Commission which had entailed upon us that extraordinary expenditure for fortifications which had made us the laughing stock of the whole world. Just as the currier thought there was nothing like leather, so with Colonel Jervois, there was nothing like fortifications.

THE MARQUESS OF HARTINGTON said, he did not in the least object to any questions which hon. Gentlemen might like to put as to the nature of the recommendations of Colonel Jervois. What he objected to was being compelled to answer questions with regard to confidential communications which might have passed between Colonel Jervois and the Secretary of State, on the subject of those works. The hon. and gallant Gentleman was, no doubt, right in saying there were officers in Canada who would be quite competent to make recommendations upon the subject of its defences, but Colonel Jervois had had very great experience, if not in active service, in the construction of works of military fortification. He quite admitted that Colonel Jervois had been Secretary to that Commission whose recommendations had, in the hon. and gallant Gentleman's opinion, been the laughing-stock of the world; but that was not the opinion of the House. The Government, however, were not proceeding upon the unsupported recommendations of Colonel Jervois. His plans had been submitted to General Williams, in Canada, to the Governor-General there, to the Commander-in-Chief in this country, and the principal officers who advised him, and had obtained their entire concurrence. He might say that they had also met with the entire approval of Sir John Burgoyne. The Government, therefore, were not acting on the unsupported recommendations of Colonel Jervois, but upon the best military opinions within their reach.

Lord NAAS was quite aware of the great advantage of employing convicts upon public works wherever it was possible, but he had on a former occasion brought the full question of the Bermuda establishment before the House, and the evils which had been shown to exist were so great that the Government resolved to discontinue the establishment as soon as possible, and they had since done so. If it were intended to send convicts there now, it would be necessary to go to the great expense of providing gaols and establishments for their use, for that House would never sanction a return to the horrors of the hulk system as practised at Bermuda some years ago. He hoped, therefore, whatever Department of the Government had this proposal under consideration would take full time before coming to a conclusion. He believed the expense they would have to go to if they were to send convicts there would be far greater than any possible advantage which could accrue to the public service.

Vote *agreed to.*

(2.) £163,500, Military Education.

Mr. AYRTON said, he was glad to see that the expenditure upon this department had somewhat diminished, and hoped it would still further decrease. The Council of Military Education cost £8,300 a year. He wanted to know whether the 200 cadets whose charge for messing was upon the Estimates formed the whole number at Woolwich. He had taken the trouble of adding up the number of persons who ministered to the education of these 200 gentlemen, and he found that they amounted to 147 in all. That was a very large and expensive establishment for 200 cadets. He did not think the double staff at all necessary. It appeared extraordinary to require a large military staff, who wore red coats, for purposes of discipline, who did nothing, and then a large educational staff, who taught the cadets something. If private persons were to establish a proprietary school they would not think of having a double establishment. It was rather an extravagant educational system when 200 cadets cost the sum of £36,000. There were also about 200 cadets at the Military College, costing for their education about the same sum. He thought the Government might find a more economical mode of doing the business.

Colonel DUNNE said, that of the £36,000 for the Royal Military Academy at Woolwich the cadets themselves paid £30,960, so that the country only lost between £5,000 and £6,000. The Sandhurst College was not so self-supporting, for it cost the country about £20,000. With regard to the establishment at Chelsea, the schoolmasters which it furnished were the most insubordinate set of men that could be found anywhere, and the consequence was that the officers did not take the same interest in regimental schools that they did formerly. Of the entire Vote of £163,500 the sum of £60,000 was repaid.

Mr. KINGLAKE said, with regard to the double staff to which his hon. Friend (Mr. Ayrton) had called attention, it seemed rather strange that when it was thought necessary to effect some retrenchment, instead of reducing the military staff, which was the ornamental portion of the establishment at Woolwich, the reduction was made in the number of teachers. He thought this a most injurious course to take. Nothing could be more satisfactory than the condition of the pupils so far as concerned education, and the teachers had had nothing to do with the difficulties which had occurred with regard to the military branch.

Mr. MAGUIRE said, that he had to repeat the complaint which he had made on several previous occasions with respect to the state of the Military Hibernian School at Dublin, which was destined for the education and nurture of the children of soldiers in Ireland. The number in the school was about 400. About two-thirds of these were Protestants, and one-third Catholics. There were seventy officials in the establishment, but not a single person of rank or influence was of the Roman Catholic faith. The whole atmosphere of the place was Protestant. There were eight teachers, not one of whom was a Roman Catholic. This system had been attended with serious practical injury, for on several occasions owing to the influences which surrounded them, Roman Catholic boys had embraced the Protestant faith, and he would mention one or two cases to show how this influence had been exerted. In the year 1861 two Members of the Government stated that when a vacancy occured on the staff a certain number of Catholic teachers or officers should be appointed. A vacancy did occur soon afterwards, and it was filled up in defiance of the expressed opinion of the House of Commons. He had omitted to mention that a Roman Catholic boy, who had changed his faith, was sent to another institution and brought back as a Protestant teacher. This was a strong inducement to others to change their faith. Other vacancies occurred in November and in January, neither of which had been filled up by Roman Catholics. Nothing could be more injurious in Ireland than to allow even the suspicion of proselytism to attach to any institution under the control of the Government, and supported by Parliament. Great discouragement was given to the introduction of Catholic children, one instance of which he would mention. Colour-serjeant O'Callaghan, who fought in the Crimea and died at Corfu, left two children, one of whom was now serving Her Majesty as a soldier, and the other a boy of tender years. The father was born, bred, lived, and died a Catholic; the widow, who was a Protestant at the time of her marriage afterwards became a Catholic. She was still a Catholic, and applied to have her child admitted into the institution, but the application was refused. Admission was afterwards obtained for the boy as a Protestant, and the Roman Catholic clergyman was refused access to the register in which the child's name was inserted. What would be said in England if the case were reversed? If such a state of things existed he would be one of the first, in defiance of priest, bishop, or Pope, to raise his voice in protest against it. In this college, while a Protestant chaplain was in receipt of £300 a year, the official Roman Catholic clergyman received only £80, and all applications for increase had been refused. An orderly serjeant in the institution changed his faith, and the Roman Catholic clergyman was kept out of his room one hour and a quarter while the man was dying, and was only admitted when the man had breathed his last. In this case a rebuke was administered by the Lord Lieutenant. These things showed the bias of the institution; and he had no confidence that the authorities of the school would give proper protection to Roman Catholic children. On the last occasion when he brought this subject before the noble Lord, in the true spirit of an Englishman, declared that he would not defend the Vote this year if there was not some change. There had been no change. He asked for that change; and he appealed to the noble Lord to urge upon the Lord Lieutenant, as president of the institution, to interfere in the matter and see that justice was done, for the Catholic soldier behaved in the charge, breach, and deadly conflict as gallantly as any one serving in the ranks of Her Majesty's army.

The Marquess of HARTINGTON said, in reply, to the observations of the hon. Member (Mr. Ayrton), that the duties of the Council of Military Education were not confined to the examination of officers for commissions; but included the whole administration of the military colleges, and of the regimental and garrison schools and libraries; and it would be seen by reference to the Return on the table that the gentlemen composing that commission were as fully occupied as any one employed in a public office. As to the Military Academy and Military College, it had been said that what was called the double staff was unnecessary. It was a misapprehension to say that what was designated in the Estimates the military branch was composed of officers employed solely in looking after the discipline of the military cadets. In the military branch of the Royal Academy at Woolwich were included the lieutenant-governor, the commandant, the inspector of studies, the assistant-inspector, and the chaplain—offices which would be necessary in any large educational establishment, and would have to be filled, if not by military men, by civilians. In the educational branch were included the professors only. The only officers employed on purely military duties were the captains, lieutenants, paymasters, and adjutants of the cadet companies; and the salaries of these officers constituted only a very small portion of the expense of the college. No reduction had been made in the military staff; but some reduction had taken place in the teachers, and there had been a consequent reduction in the expense. In reply to the observations of the hon. Member (Mr. Kinglake), he must say that the college had never contained the number of cadets on which the estimate of the number of teachers was originally based. During the last year or two a larger number of cadets had been sent from the military academy than commissions could be given to; and instead of 300 cadets, the number intended originally to be educated at Woolwich, it was found unnecessary for the service to educate more than 200, and therefore the number of professors had been diminished. A like observation would apply to the Military College at Sandhurst. Passing to the question raised by the hon. Member for Dungarvan (Mr. Maguire), he said it was true that last year the statement which the hon. Member brought before the House with regard to proselytising in the education given at the Royal Hibernian Schools attracted the attention of the Secretary for War, and the noble Earl had brought certain points connected with the management of that school under the notice of Sir George Brown and the Governors of the institution. The hon. Member last year gave him notice of the points to which he wished to call attention, and as far as any intention to proselytise on the part of any one connected with the education at the Hibernian School was concerned, he had shown that there was no real ground for the accusation; or, at all events, that if any indication of an attempt to proselytise the Roman Catholic children had ever been made, it had been checked and rebuked by the Governors of the institution. But he had been compelled to admit that in the educational staff of the college almost the whole—[Mr. MAGUIRE: Entire.]—perhaps the whole of the staff were of the Protestant religion. The Governors, however, assured them that in the selection of the teachers they were not prompted by any religious feeling, and that their invariable practice had been to select those candidates who appeared to them to be most fitted for the posts. He had stated last year that the Government did not consider that that was entirely a satisfactory state of things. They thought that that principle ought not to be strictly adhered to; and Earl De Grey was of opinion that, considering the different religions of the children, the candidates for teacherships should, to a certain extent, irrespective of their other qualifications, be Roman Catholics. That opinion of Earl De Grey was communicated to Sir George Brown and the Governors of the institution, who immediately held a meeting and passed a resolution that in future appointments the religion of the candidates should be considered, and that it should be a rule that a certain proportion of Roman Catholics should be appointed. He made inquiries the other day as to what had been the result of that decision, and the information that he received was that the only vacancies which had since occurred to which Roman Catholics could be appointed were—for one pioneer corporal and three women servants. For these, Roman Catholics had been selected. Also two monitorships, since the 1st February last, had been held open, in hope that the Board of National Education would recommend candidates qualified for the appointment. He was sure that the Committee would agree that, after the declaration of the Governors, no further assurance could be needed that the promise would be carried out. He had no knowledge of the individual cases brought forward by the hon. Member, but he understood that no cases of proselytising had taken place since the last debate. Certainly, if any instances of proselytism had since occurred it was contrary to the spirit of the correspondence between Lord De Grey and Sir George Brown, and without further information and inquiry he could not believe that any such attempt had been made. The hon. Member had referred to the case of a refusal to admit a Roman Catholic child, who was afterwards admitted as a Protestant. Of course, having had no prievous notice of the case, he should offer no explanation with regard to it. The facts might be as the hon. Gentleman had stated them, but he did not think the inference that had been drawn from those facts was the correct one. If the child had been refused admission, as stated, he should be inclined to believe it was not because the child was a Roman Catholic, but because there was no vacancy at the time, and that it was the occurrence of a vacancy, not the change of faith, which procured the subsequent admission.

MR. BRADY was glad to have this assurance from the noble Marquess, but when he looked at the largeness of this Vote, extending to £10,000 or £20,000, and that of the officers of the institution not one in the higher positions was a Roman Catholic, he must enter his protest. The institution was entirely a Protestant one in its character. The noble Marquess said there were no attempts at proselytism in that establishment. This assertion might be correct in the sense in which the noble Lord meant to apply it—namely, that no direct influence was brought to bear on the children there to induce them to change their religion; but when the Committee saw that children of tender years were associated in the Royal Military School with persons of a different religion who had an influence over them, it was a natural consequence that those children would receive impressions which would weigh upon their minds. It was a well known fact that no Protestant parent believing in the doctrines of his Church would place his children under a Catholic teacher any more than he would place them under one of the Jewish persuasion, and it would be well that in this institution the Catholic children had not any inducement to become Protestants. The school was established as a boon to the people of Ireland at the time of the Union. It was intended as a boon, and might yet be made a boon if it were conducted aright. But the reverse of this had been the case, and it had provoked irritation in the minds of the Catholics. It ought not to be the policy of the Government further to attempt to estrange the feelings of the people of Ireland from this country. The Government had the opportunity to make amends for the past, and by seeing that this would be conducted in a fair spirit to the people of Ireland, it would tend to diminish that feeling of hostility which the Irishmen who had left for America had entertained, and which arose from the notion that justice had not been done to them at home.

MR. MAGUIRE expressed his acknowledgments to the noble Marquess for the assurance which he had given. He (Mr. Maguire) should be sorry to make a statement which he did not believe, and as an act of justice to himself and the noble Marquess, who had nothing to conceal, he would ask him to grant as unopposed the Returns he had moved for. They might render unnecessary any further appeals to the House on the subject.

THE MARQUESS OF HARTINGTON said, he had no objection to give those Returns.

MR. WATKIN called attention to the allowance for the messes of the cadets, and said as there were only 200 cadets, each of them must cost the country £180. This must be an expensive mode of education.

Vote *agreed to.*

(3.) £88,345, Surveys, &c.

(4.) £107,700, Miscellaneous Services.

MR. AYRTON said, he wished to call attention to an item of £5,000 for expenses attending the carrying out of the Act 27 & 28 *Vict.* c. 85, for the prevention of contagious diseases at certain naval and military stations. It was, he thought, remarkable, after all that was said and done in connection with the moral and intellectual improvement of soldiers, that it should be deemed necessary to propose a Vote of £5,000 for the purpose of ministering to their vices and tempting them into immorality. The proposed expenditure was of an entirely novel character, and he should be glad to know how the money was to be appropriated and what towns were to have the disgrace of participating in its distribution. A more discreditable proposal was never brought under the notice of the House.

MR. LOCKE said, that as a Member of the Committee who sat upon the Bill which had now become law, and on which this Vote was based, he must protest against the extraordinary description which the hon. Member for the Tower Hamlets had given of the measure. It was wholly incorrect to talk of that £5,000 as being intended for the purpose of catering to the vices of the soldiers. It was simply intended for their protection; and if a similar measure could be carried out throughout the whole country it would be a very great advantage. The object of the Act was that where a woman was proved to be a common prostitute—a term well known to the law of England—she should be taken care of, and not allowed to be the source of mischief to other people. It was an

Act for the protection of the health of soldiers. A kinder or more benevolent Act he could not conceive. The hon. Member (Mr. Ayrton) had objected to it in the Committee because it was not sufficiently extensive, and seemed to think that they ought not to attempt to mitigate the evil because they could not entirely extirpate it. His hon. Friend (Mr. Ayrton) absented himself from the Committee, except on one day, when he expressed his entire dissent from the Bill. The Committee thought they did good service. They were unanimous. They were satisfied with themselves, and they were equally satisfied with his hon. Friend because he stayed away.

THE MARQUESS OF HARTINGTON said, that the proportion of teachers to students at the Ecole Polytechnique at Paris was much greater than at the Military College. The hon. Member (Mr. Ayrton) was correct in saying that there were only 200 cadets at Woolwich, but the charge for education was fair and reasonable. With regard to the item of £5,000, it was proposed to extend it in the hire of certain Lock wards in different places; and, although it was not quite decided, yet it was contemplated to commence a hospital in one or two places where no such wards could be procured. The proportion of the grant to Aldershot would be expended either there or in London, to which those persons would be removed. It was the general opinion of persons competent to judge that the Bill would be of great use.

MR. BRADY said, that there was no city of Europe in which public hospitals were not open to this class of patients. They ought to be more general in this country.

MR. AYRTON said, he had attended the meeting of the Committee one day, when he proposed that the law of the land should be put in force for the protection of the soldier.

Vote *agreed to.*

THE MARQUESS OF HARTINGTON said, he did not propose to move the next Vote for the administration of the army until the Report of the Committee was received.

(5.) £26,100, Rewards for Military Service.

(6.) £74,200, Pay of General Officers.

(7.) Motion made, and Question proposed,

"That a sum, not exceeding £455,000, be granted to Her Majesty, to defray the Charge of the Pay of Reduced and Retired Officers, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive:"—

Mr. Locke

Whereupon Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Torrens.*)

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(8.) £162,100, Widows' Pensions and Compassionate Allowances.

(9.) £28,200, Pensions and Allowances to Wounded Officers.

Motion made, and Question proposed,

"That a sum, not exceeding £33,200, be granted to Her Majesty, to defray the Charge of Chelsea and Kilmainham Hospitals, and the In-Pension thereof, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."

COLONEL DICKSON moved that the Chairman report Progress.

MR. HENNESSY said, he wished to have some information on this Vote. It appeared that only £15 a year was allowed to maintain soldiers' widows, and he wished to know how many widows had applied. Surely that was not the whole sum allotted to this purpose?

COLONEL DICKSON said, that he hoped the hon. Member would not persevere in asking information then, as Progress had been made, and he was only marring the attempt to postpone the consideration of the Vote.

THE MARQUESS OF HARTINGTON said, that usually this Vote passed without discussion. He could see no objection to proceeding with it.

COLONEL DUNNE said, that considerable discussion would arise upon the Vote.

MR. WATKIN said, he hoped the Committee would act like an assembly of business men. This was a Vote which everybody approved, and he appealed to the gallant Member not to obstruct business by this mode of objection.

COLONEL DUNNE said, these discussions always arose upon the Estimates, as the hon. Member would have known if he had been as long in the House as he (Colonel Dunne) had. It was the hon. Member's inexperience which led him to make that suggestion.

THE CHAIRMAN proceeded to put the Vote.

COLONEL DICKSON: I thought I had moved that Progress be reported. Really it seems as if the Government are trying to get these Estimates in an unfair manner.

VISCOUNT PALMERSTON regarded the proposal as unreasonable, but as they had got already many Votes the Government would give way.

Whereupon Motion made, and Question, That the Chairman do report Progress, and ask leave to sit again,"—(*Colonel Dickson,*)—put, and *agreed to.*

House *resumed.*

Resolutions to be reported on *Monday* next.

Committee report Progress; to sit again on *Monday* next.

COUNTY VOTERS REGISTRATION (IRELAND) BILL—[BILL 70.]

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Robert Peel.*)

COLONEL DUNNE asked for an explanation of its object.

SIR ROBERT PEEL said, that in 1862 a Bill was introduced for the purpose of limiting the polling in counties to one day, instead of two. It became law. In 1864 a Bill was introduced authorizing the Lord President in Council to make additional polling places by the division of baronies, attaching them to new polling-places. When that Act was passed an omission was made with reference to the preparation of the lists for those new polling places, in consequence of which the Act would not work. Representations had been made by Magistrates of Queen's county and Wexford of the inconvenience there, and it was to remedy the omission in the Act of last Session that this Bill was brought in,

MR. AGAR-ELLIS said, that the Bill would be totally unworkable. The Act of last year did not require amendment.

COLONEL DICKSON said, his suspicion with regard to the Bill was as to the period at which it was introduced. Who were the Magistrates of Queen's County and Wexford who had made representations? It looked very much like a party move?

SIR ROBERT PEEL said, the Bill was introduced with no such object.

SIR COLMAN O'LOGHLEN said, the real object of the Bill was to supply the omission in the Bill of last Session. It had nothing to do with registration, but was merely for the convenience of voters.

MR. BAGWELL believed that the inconvenience arising from the Bill would be greater than the convenience. He should move that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Bagwell.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. LONGFIELD contended that the operation of the Bill would entail a new revision in the districts to which it applied, by means of which not only would expenditure be incurred, but efforts to oust particular persons would be encouraged.

SIR CHARLES WOOD said, that the measure would not have any such effect. Its intention simply was to provide increased facilities for polling. There would be no new registration or revision of voters, and the sole object of the Bill was to provide for the division of the voters into polling districts.

Question put.

The House *divided:*—Ayes 30; Noes 32: Majority 2.

Words *added.* Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

UNION OFFICERS (IRELAND) SUPERANNUATION BILL.—[BILL 53.]

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1.

LORD JOHN BROWNE moved an Amendment to include clerks of Unions among the officers who might be superannuated.

LORD NAAS said, he was in favour of the principle of the Bill, but he doubted the prudence of the Amendment, as he thought that the only officers of unions who should be superannuated were those who devoted their whole time to union affairs.

Colonel DICKSON said, he agreed with the Amendment, adding that he had, in fact, himself given notice of an Amendment of a similar nature, but somewhat wider in its operation, as it included among officers to be superannuated the union doctors, who were a most meritorious class of men.

Sir EDWARD GROGAN hoped the Government would adhere to the clause as it stood, and thus show a due regard for the rights of the ratepayers.

Sir ROBERT PEEL said, that the interests of the ratepayer must be considered. The effect of the hon. and gallant Member's proposal would be to give superannuation to the poor rate collector, and the chaplain, as well as the doctor and the clerk. He thought the principle of the Bill ought to be adhered to, as stated by the noble Lord opposite.

Amendment, by leave, *withdrawn.*

Mr. HENNESSY moved an Amendment, including the medical officers and the clerks of the unions in the list of those to whom the benefits of the Bill should be extended.

Amendment proposed, in line 11, after the word "officers," to insert the words "including the medical officers and the clerks of unions."—(*Mr. Hennessy.*)

Question proposed, "That those words be there inserted."

Sir ROBERT PEEL said, that he could not conscientiously proceed with the Bill if the Amendment of the hon. Member for the King's County were carried, because he never would be a party to to the imposition upon the ratepayers of Ireland of the taxation which it would render necessary. He hoped the Bill would be passed in its present shape.

Question put.

The Committee *divided*: — Ayes 11; Noes 42: Majority 31.

Clause, as amended, *agreed to.*

Clause 2 *agreed to.*

Clause 3.

Colonel DICKSON moved an Amendment to the effect that superannuation should be ruled by time of service and not the age of the applicant.

Lord Naas

Sir COLMAN O'LOGHLEN said, the clause, as it stood, was identical with the English law, and therefore those Irish Members who generally expressed so strong a disapprobation of different legislation for the two countries ought to support the clause.

Clause *agreed to.*

Remaining Clauses *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Tuesday* next.

MERCHANT SHIPPING DISPUTES BILL.

BILL ORDERED. FIRST READING. [BILL 90.]

Mr. DENMAN obtained leave to bring in a Bill "to improve and facilitate the trial of disputes relating to the merchant shipping." He said that it was a measure drawn under the direction of the Chamber of Commerce, and was intended to give a cheaper, more expeditious, and better qualified tribunal to settle disputes than now existed.

Motion *agreed to.*

Bill to improve and facilitate the trial of Disputes relating to Merchant Shipping, *ordered* to be brought in by Mr. Denman and Mr. Clay.

Bill *presented,* and read 1°. [Bill 90.]

House adjourned at half after One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, March 27, 1865.

MINUTES.]—Public Bills—*Second Reading*—Colonial Naval Defence (39).
Committee—Private Bill Costs * (47).
Report — Bankruptcy and Insolvency (Ireland) Act Amendment (20).
Third Reading—Affirmations (Scotland) * (37); Perth Provisional Order Confirmation * (38), and *passed.*

IRELAND (CATHARINE GAUGHRAN).

ADDRESS FOR PAPERS.

The Marquess of WESTMEATH said, he had to bring under their Lordships' notice a case arising out of an investigation that took place on the 25th of February, before the Petty Sessions at Colooney, in the county of Sligo. The young woman, of whose assault and ill-treatment the magistrates took cognizance, was named Catharine Gaughran. She was a young person of sixteen years of age, born in Scotland of Irish parents. She remained in Scotland until she was about sixteen years of age, when, her parents being dead, she was invited by her so-called guardians, her uncle and aunt, to return to Ireland. She did so, and went to service in a town near Colooney. She had been a Roman Catholic; but having attained to years of discretion, she changed her religion in Scotland and became a Protestant. The manner in which she gave her evidence was such as to convince the magistrates that she was well able to judge for herself. She took service in a Protestant family, and was there visited by her uncle and aunt, who endeavoured to persuade her to change her religion. She refused, and they then called in a Roman Catholic priest, who assured her she was going to hell, and pressed her to return to her own faith; but she still refused, saying that in Scotland she had acquired a taste for reading the Bible. Her aunt thereupon, in the house of this Protestant, violently assaulted her, by kneeling upon her, and otherwise using her most inhumanly. On the 20th of January she was sent on an errand, but was hunted out of the house to which she was sent. Her aunt dragged her by the hair of her head, and other persons assisted to drag her along the broken stones of the road for several yards. Four of the police were present while this was going on, and were appealed to, but in vain, to take her out of the hands of those persons. A sub-inspector, named Burke, was looking out of the window of his house, and saw the assault. He was called upon by a Mr. Simpson to interfere, but he never stirred. "No," said the police, "It is a family matter, and we cannot interfere." The poor girl was hunted into the house of a man named Hart, and was there detained until the evening of the following day. She was then rescued by a magistrate's warrant, obtained by the Protestant minister of the place. An investigation, which occupied four or five days, took place at Colooney, before four magistrates—two Roman Catholics and two Protestants. The aunt was found guilty, and sentenced to be imprisoned for one month, and some of the wretched boys who were concerned in the assault and had been no doubt instigated by the priest were imprisoned for two or four months, with hard labour. Three out of the four constables were found guilty of neglect of duty; the sub-inspector was fined £2, while the magistrates left, as they said, his particular case in the hands of the Government. If a Government really existed in Ireland there could be no doubt that it was bound to take notice of the misconduct of the police; for, if the constabulary were not bound to discharge their duty, irrespective of the wishes of Roman Catholic clergymen, the British dominion in Ireland would be nothing but a myth. But so far from the sub-inspector, who had so grossly misconducted himself, being dismissed, he believed he had escaped punishment altogether, except as to the fine of £2 inflicted by the magistrates. It might be said by some parties that he was sensitive with regard to what he regarded as Roman Catholic encroachments, and he admitted that such was the case; but he certainly never complained without reason. He was of Roman Catholic lineage himself, and had many friends and relatives belonging to that religion. In 1825 and 1826, though not then in Parliament, he assisted the Roman Catholics to obtain that measure of justice to which he believed them entitled; and at that time no form of protestation was too strong for them to make that no danger to the Protestant institutions of the country could arise from the concessions which were then made. But now-a-days men seemed to glory in the overthrow of the Established Church, as a matter which was not only possible, but must be near at hand. Their Lordships had only to look at what was going on around them every day to be convinced that that was the fact. There was the case of Mary Ryan, in which the right hon. Gentleman, whose duty it was to look after such matters, had taken no steps, or shown the slightest disposition, to grapple with the parties who had violated the law. The right hon. Gentleman said the persons—miscreants of both sexes he (the Marquess of Westmeath) would call them—who were charged with taking this helpless woman beyond the seas and burying her alive, had no bad motive for it. If they had no bad motive, why was a law put on the statute book to punish the offence? The fact was that the right hon. Gentleman dived into people's motives for the purpose of saving himself from the trouble of doing his duty. Another recent case was that of Eliza M'Dermott, a girl who was surreptitiously decoyed from her mother and conveyed to one of these pandemoniums. And now this poor girl in Ireland was obliged to leave the country, as she could no longer remain there in safety. Was that no proof of the powerlessness of the law in Ireland? Revise the Liturgy, banish the pews and crinolines into the galleries, which is their proper place. Give up the body of the parish churches to the people, to whom they belong. He would here say a few words with all respect and affection to the right rev. Bench. Revise the Liturgy, conciliate the Independants and the Wesleyans into the Church. Banish the pews and the crinolines out of the body of the parish churches into the galleries, for the body of the church belongs to the people, and pews are an usurpation. Now, the real question which he wished to bring before their Lordships was whether the constabulary in Ireland were or were not to carry out the law irrespective of any private interests or personal influences? In the present case the Lord Lieutenant appeared to have taken no action whatever. If he did not know the merits of the case, he must have allowed himself to be betrayed by the police. Regarding the uselessness of the office of Lord Lieutenant, he had often expressed an opinion. The Lord Lieutenant was in the receipt of £20,000 a year, and he had since he went over to Ireland received something like fifty deputations, every one of which, with a single exception—that upon the subject of the Shannon navigation—asked to be exonerated from some obligation, or for a share of the public money. Such was the way in which the government of Ireland was carried on; and he had deemed it to be his duty to lay the present case before their Lordships—and he would probably have another to bring under their notice before long—in order to warn the Government as to the course which they were pursuing, and to show that, under existing circumstances, the constabulary and its management in that country were a machinery in the hands of the Popish priesthood. It was, he knew, the fashion to attribute the outrages which had taken place in the north of Ireland to the Orangemen; but that he contended—and he was no Orangeman—was a cruel misrepresentation. They were not the cause of the riots in Belfast, for everybody knew that they were excited by a treasonable procession which had a short time previously taken place in Dublin. They had, however, so far as he could see, been guilty of no crime, unless it were a sensitiveness with respect to the support of the Protestant religion as by law established. The noble Marquess concluded by moving an Address for—

" Copy of the Conviction made at the Hearing of the Magistrates of the Petty Sessions of Colooney in the county of Sligo, on Tuesday the 25th February last, and on the subsequent days, in the Case of the Complaint of Catharine Gaughran against Michael Hart, Wineford Hart, and others, on a Charge of assaulting and afterwards violently putting her in Duress on the 20th of January last, and there detaining her until released by a Magistrate's Warrant; and also of the Conviction of Sub Inspector Burke and others of the Police Force, having been present at that Outrage in open Day and declining to interfere and rescue Catharine Gaughran from the brutal Treatment she was receiving; and for a Copy of the Decision of the Inspector General of the Constabulary upon the Conduct of the Individuals of the Force inculpated upon that Occasion.

Earl GRANVILLE having stated that there was no objection to the production of the papers,

Motion *agreed to.*

COLONIAL NAVAL DEFENCE BILL.

(No. 39.) SECOND READING.

The Duke of SOMERSET, in moving the second reading of this Bill, said, its object was to enable several of the colonial possessions of Her Majesty to make better provision for their own maritime defence. The question was one, he added, which had been under the consideration of the Colonial Office and of the Admiralty for some time, various proposals with respect to it having been made by the Australian Colonies, who had offered themselves to undertake a large portion of the necessary expenditure. Much difficulty was, however, experienced on the subject—not so much in a colonial as in an international point of view; but that difficulty had, he thought, been met by the present Bill, which provided that the whole expense of the proposed defensive operations should be undertaken by the colonies, but that the arrangements for the purpose should be made by them in connection with the Home Government by means of Orders in Council. The effect of the Bill would, in the first place, be to create a Naval Reserve somewhat similar to that which existed in this country, and which would be enlisted in the colonies under similar conditions. At home the measure for the creation of a Naval Reserve had been found very successful, for we had now between 16,000 and 17,000 men, all able-bodied seamen, who were almost all trained to gunnery. Something of the same kind would, he hoped, gradually grow up in the colonies. There was also a provision enabling officers in the naval service in this country to take service there, with the consent of the Admiralty. These officers would be invaluable for training and commanding this force; and in that way a most effective source of colonial defence would, he thought, be provided. The Government, he might add, had lately received a proposal from the colony of Victoria for building vessels in this country of a large class as well as of smaller vessels on the turret principle to enable them to defend their harbours. Provisions calculated to further those proposals as well as the others to which he adverted constituted the main features of the Bill, which, he trusted, would be found fully to answer the purpose.

Bill read 2ª, and *committed* to a Committee of the Whole House *To-morrow.*

PRIVATE BILL COSTS BILL—(No. 31.)

COMMITTEE.

Bill considered in Committee.

(In the Committee.)

Lord HOUGHTON moved to insert in line 1 the words, "both Houses of Parliament," with the object of extending the power of awarding costs in certain cases of Private Bills, to Committees of the House of Lords; and other consequential Amendments in the several clauses of the Bill.

Amendments *agreed to.*

Report of the Amendments to be received on Thursday next; and Bill to be printed as amended. (No. 47.)

BANKRUPTCY AND INSOLVENCY (IRELAND) ACT AMENDMENT BILL.

(No. 43.) REPORT.

Amendments reported (according to Order).

The Earl of LONGFORD moved, to reinsert a paragraph which had been omitted from the end of the second clause during the progress of the measure through that House. His object was to save the shareholders of two small railway companies in Ireland from being devoured by lawyers by providing distinctly that they should not be liable for more than the amount of their shares.

Moved, after ("thereunder") p. 1, line 19, to add—

> "It being however hereby declared that no Person, Company, or Body Corporate, by reason of his or their being a Shareholder of any Railway Company made bankrupt under any such Adjudication of Bankruptcy, is or shall be liable to pay or contribute any Sum beyond the Extent of his or their Shares in the Capital of the Company not paid up at the Time of such Adjudication."

Lord CRANWORTH said, he should oppose the Amendment.

Earl ST. GERMANS supported it on the ground that it would restore the Bill to the condition in which it was originally submitted to that House, with the sanction of the Irish Law Officers and of the Lord Chancellor of Ireland.

The Earl of DONOUGHMORE said, that the Select Committee had recommended that the Bill should be passed in its present form, after hearing an exposition of the law as it now stood, from a learned Gentleman who was a Member of the other House.

Lord DUNSANY trusted their Lordships would assent to the Amendment. As the law stood at present, a very grievous hardship was inflicted upon shareholders who had invested their money in Irish Railway Companies in the belief that no alteration could be made in the law affecting their liability.

The Marquess of CLANRICARDE said, the Bill now before the House proposed to remedy an omission in the Bill of 1857. Since that period hundreds of thousands of pounds had been invested by shareholders in railway companies in the belief that they would be liable only to the amount of their shares. Several gentlemen of fortune who had become shareholders on that supposition were now on the verge of ruin.

Lord CHELMSFORD hoped the House would support the decision come to by the Committee, and reject the Amendment proposed by his noble Friend.

On Question? Their Lordships *divided:*—Contents 18; Not-Contents 21: Majority 3.

CONTENTS.

York, Archp.
Salisbury, M.
Amherst, E.
Graham, E. (*D. Montrose.*)
Harrowby, E.

Saint Germans, E. [*Teller.*]
Sydney, V.
Clifton, L. (*E. Darnley.*)
Dunsany, L.
Ebury, L.

Foley, L.
Lyveden, L.
Monson, L.
Ponsonby, L. (*E. Bessborough.*)
Raglan, L.
Silchester, L. (*E. Longford.*) [*Teller.*]
Somerhill, L. (*M. Clanricarde.*)
Wentworth, L.

NOT-CONTENTS.

Westbury, L. (*L. Chancellor.*)

Cleveland, D.
Somerset, D.

Bath, M.

Airlie, E.
Cadogan, E.
De Grey, E.
Derby, E.
Granville, E.
Hardwicke, E.
Malmesbury, E.
Verulam, E.

Hawarden, V. [*Teller.*]
Hutchinson, V. (*E. Donoughmore.*) [*Teller.*]

Belper, L.
Boyle, L. (*E. Cork and Orrery.*)
Chelmsford, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Cranworth, L.
Dartrey, L. (*L. Cremorne.*)
Redesdale, L.
Stanley of Alderley, L.

House adjourned at a quarter before Seven o'clock, till to-morrow, half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Monday, March 27, 1865.

MINUTES.]—Supply—*considered in Committee*—*Resolutions* [March 24] *reported.*

Public Bills—*Ordered*—Grand Juries (Ireland)*; General Post Office (Additional Site).*

First Reading — Grand Juries (Ireland) * [93]; General Post Office (Additional Site) * [94].

Second Reading — Union Chargeability [31]; Isle of Man Disafforestation (Compensation) * [67]; Consolidated Fund (£15,000,000).*

Committee — Mutiny; Marine Mutiny *; Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation * [82].

Report — Mutiny; Marine Mutiny *; Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation * [82].

Third Reading — Herring Fisheries (Scotland) * [49], and *passed.*

THE EPISCOPAL CHURCH IN THE COLONIES.—QUESTION.

Mr. DUNLOP said, he would, pursuant to notice, beg to ask the Secretary of State for the Colonies, Whether, looking to the recent decision of the Judicial Committee of the Privy Council in the case of Bishop Colenso, by which, with reference to Colonies with representative Legislatures, or in which the Church of England has not been established by Law, Patents for the erection of Episcopal Sees therein, purporting to confer ecclesiastical jurisdiction, are pronounced to be contrary to Law, it is the intention of the Government to advise Her Majesty to abstain henceforth from issuing any more such Patents for Colonies so situated; and also from nominating successors under the existing illegal Patents to Bishops who may die or resign, leaving the voluntary associations of which such Bishops are the chief ministers to provide successors according to the rules and canons they have adopted or may adopt for the government of their own non-established Communions; and particularly whether this course will be recommended in reference to Canada, where, by an Act of the Canadian Legislature to which the Royal Assent was duly given, all connection between Church and State has been expressly abolished?

Mr. CARDWELL said, with reference to Canada, the practice of issuing Letters Patent for the appointment of a Bishop had been for some time discontinued. The practice in Canada now was that the Bishops were selected by the clergy of the colony, and those Bishops derived their civil rights from the Legislature of the colony. With respect to issuing Letters Patent for other colonies, he begged to assure his hon. Friend that this very important subject had been brought under the consideration of the Government by the recent decision of the Privy Council, and was receiving the careful attention of the Government. No Letters Patent would be issued to any colony until the subject was fully disposed of by the Government.

Mr. DUNLOP said, he would now beg to ask Mr. Attorney General to what extent and effects, if any, Patents erecting Episcopal Sees in colonies having representative Legislatures, or in which the Church of England has not been previously by law established, and purporting to confer ecclesiastical jurisdiction, are valid and operative; and also to inquire under what statutory or other authority the Queen, as Sovereign of the United Kingdom, issues Patents for the erection of Episcopal Sees, in accordance with the religious system established by Law in only one part of the United Kingdom—England—in colonies which never where, at any time, colonies of England, but have been from their origin British colonies.

The ATTORNEY GENERAL: Sir, It is very much more easy, especially after the recent decision, to say what is not the effect of these Letters Patent, than to say what is. I will, however, endeavour to answer my hon. Friend's question according to the best interpretation I can put upon this decision. In the first place, I understand it to be determined that no legal dioceses are created by those Letters Patent in the colonies to which the question has reference. Secondly, that these Letters Patent create no legal identity between the Episcopal Churches, presided over by these Bishops, and the United Church of England and Ireland. Thirdly, that the Letters Patent do not introduce into those colonies any part of the English Ecclesiastical Law. Fourthly, that they confer on the Bishops no legal jurisdiction or power whatever, and add nothing to any authority which the Bishops may be legally capable of acquiring by the voluntary principle without any Letters Patent or Royal sanction at all. There remains nothing, therefore, in the Letters Patent, except it be, as I understand, simply to incorporate the Bishops and their successors as a legal corporation, with the ordinary incidents of a legal corporation. But even as to that, I see it stated in the recent judgment, that these Letters Patent are not valid for the purpose of establishing any ecclesiastical corporation whose status, rights, and authority the colonies could be required to recognize.

Mr. DUNLOP: The hon. and learned Gentleman has not answered the second part of my question.

The ATTORNEY GENERAL: I beg pardon. I thought my hon. Friend would understand from my answer that the maximum operation of these Letters Patent in the colonies would seem to be to incorporate the Bishops and their successors, not as an ecclesiastical corporation, but simply as a common lay corporation, which it is the ordinary prerogative of the Crown to create, and for which no statutory power is required.

UNION CHARGEABILITY BILL—[Bill 31.]

SECOND READING.

Order for Second Reading read.

Mr. C. P. VILLIERS rose to move that the Union Chargeability Bill be now read a second time, and said, Sir, having endeavoured on a former occasion to explain the purport of this Bill, and believing that it has found favour with those whom it concerns, it will not be necessary for me to detain the House at any length on the present occasion. As, however, some opposition seems to be intended, I venture to impress on the House again that there is no new principle involved in this measure, that it is in strict conformity with the principle of the New Poor Law, and that it is only taking another step in the direction in which legislation has proceeded lately. The scheme of the New Poor Law was the adoption of a larger area than the parish as the basis for the management of the poor; a course which had already been recommended by considerable experience acquired in former years, as essential to obtain that judgment and intelligence in the management of the poor, which was rarely to be found in a single parish or township. It was, moreover, recommended especially by the disclosures which took place on the great inquiry into the operation of the Poor Law consequent upon the agricultural disturbances that occurred in 1830, an inquiry which seemed to establish more completely than was ever done before the utter failure of what is called the parochial system. The promoters of the New Poor Law then certainly intended that the union should, in every respect, supersede the parish as well for rating and charge, as for the administration of relief; and their expectation of success was indeed chiefly grounded upon this supersession of the parochial system. But the authors of the Act were defeated in their efforts to carry that measure by views and interests similar, probably, to those which will be represented by the movers and supporters of the Amendment this evening; and the New Poor Law was launched under the obvious disadvantage of being a combination of the two systems—that of the union and that of the parish. This disadvantage having been submitted to, it was feared that the mischiefs of the old law would soon reappear, and the authors of the Act inserted a provision enabling the guardians themselves to constitute the union one parish for the purposes of rating and settlement, should they be able to secure unanimity on that subject at their Board. Expectations, however, were still entertained that there was something wanting in the measure to secure its success; and certainly these expectations were completely verified by the result. The parochial system was, to a certain extent, retained, and the House will easily see why the law failed in many respects in consequence of its retention. While the parochial system existed each parish had in its discretion the entire management of what was called its own poor; and the result was that there were some 15,000 districts each with its own system. Thus every variety of system and practice existed, which were generally alike detrimental to the poor and injurious to property. Under the New Poor Law the guardians by their mode of administering relief undoubtedly prevented some of the more gross abuses of the former system; but in consequence of the parochial liability being retained, and the power of dealing with their own poor being still in the hands of the parish officers, the parishes had the same motive as before for "keeping down their poor" as it was called; or, in other words, for getting rid of their poor. The object of the parishes after the Act passed, was to reduce the number of their poor, in order that they might have to pay as little as possible. The guardians, by their officers, administered the relief, but the parishes paid for it, and were desirous, therefore, of keeping the charge as low as they could. The great source of chargeability for the poor in parishes, springs from their residence in them. The poor may have acquired settlements at some time, owing to their residence there, and then their families derive their settlement from them. It has always been a great object, therefore, in particular parishes, in order to keep down the poor, to prevent them residing in those parishes; and for that purpose their dwellings are pulled down, and no new cottages are built. This is one way of what is called managing parishes. But where the poor have got dwellings in a parish, the next best thing is to get them out, and into a neighbouring parish in order to shift the burden there, and yet not lose the benefit of their labour. That used to be a favourite practice under the old law, and it was the mistake of retaining the parochial liability under the new system that the officers of parishes have the same motive for displaying their zeal and discretion in keeping down the poor as they had before. Many of the complaints, therefore, that are still heard of in the working of the Poor Law are thus to be accounted for, it being still observed that the labouring poor live in wretched dwellings, and sometimes far from the place at which they work, being the only place where they can find habitations, and that the same struggle goes on between different parishes, each trying to get rid of their poor, and varying in success according to the circumstances of the parish. Parishes, it is well known, vary in character almost as their number, and may differ alike in size as in the disposition of those who reside in them. A parish owned by one, two, or three proprietors may be able to get rid of its poor in the way I have described, and an adjacent parish may be in such a position that it cannot help receiving the outcasts from the proprietary parish. Hence the great complaints raised during the last twenty-five years as to the manner in which the poor have been dealt with and the capricious and unjust distribution of the burden of their maintenance, some parishes being compelled to pay far more than they ought, while others are pretty nearly exempt. This, as we know, during that period, has led to Committees, Commissions, Inquiries, and Reports without end, all having reference to the mischievous bearing of the law on the poor, and the evil to those who contribute to their support. As far back as 1839—within five years of the enactment of the New Poor Law — the Commissioners, in their Report to this House, state their regret that no step had been taken for carrying into effect the provision by which, they believed, a great improvement could have been effected in the management of the poor, namely, the provision by which guardians, if unanimous, might at any time constitute the union into one parish. There was a difficulty, no doubt, in carrying out that provision, because as the unions are constituted, there are generally one or two close parishes in them, which have the interest of escaping the charge by confining the area of liability; and as one is quite sufficient to prevent the unanimity required by the Act, one for that purpose would never omit to attend and resist the change, that would distribute the rate more equally. A few years afterwards Sir George Lewis was at the Poor Law Board, and Sir James Graham at the Home Office, and no two men were ever more anxious to prevent the failure of the New Poor Law by bringing about the very system of union rating and union settlement which I am submitting to the House. It is well known that they both deemed it essential to its success. In 1844 Sir James Graham introduced a Bill to do away with parochial settlement; but he was not successful in his object, and the measure had to be withdrawn. In 1845 he brought in another Bill, for the same object, and to empower the Commissioners to declare the union one parish for the purposes of assessment, and referred in his speech to the very general feeling in the country that that change should be effected. That Bill was not successful; but in the following year Sir James Graham introduced another Bill to consolidate the laws relating to the relief of the poor, and having in one of its purposes, the same end in view as the previous one. On the Order for going into Committee on that measure, you, Sir, if I am not mistaken, proposed, and, I believe, carried, an Instruction directing the Committee to make provision for the adoption of the principle of a union rating and settlement. That Bill was not passed ; but in that year a Bill passed to which I referred on a former occasion, by which it was supposed that the late Sir Robert Peel intended to compensate the agricultural interest for the effect produced by recent commercial changes. He had in view, by that means, to remedy the injustice to which they were subject, when people who had been drawn from their villages to the manufacturing towns were afterwards, in consequence of the state of trade, cast back again on their parishes, which, under the old system of that time, would have been the case, but which, under the union system now proposed, would probably never occur. That Bill passed. By it a large number of the poor were declared irremovable, and a new kind of *status* was given to the poor. Many complaints, however, were made in the House of the unequal operation of that partial measure. The House then acted very much on the principle which is now proposed—namely, of casting on the property of the union the support of the poor of the union. The charge of the irremovable poor was thrown on the property of the union. But so apparent again were the evils of the parochial system of settlement, and so impressed was the House with the necessity of a complete change in that system that, in 1847 a Committee was appointed—a very strong Committee from the names of those who sat on it—purposely to inquire into the effects generally of removal and settlement. That Committee made a most searching inquiry into the matter—I am bound to say not producing much that was new, because the whole subject had been inquired into in 1834; but they showed that the system had not improved since, and that enormous mischief had resulted from the system of settlement and removal, and though the Committee were not able to agree in a Report to the House, they did resolve that the limited area of chargeability for settlement was the cause of great evils to the poor, and ought to be extended, and that the territorial extension which ought to take place was that of the union. They passed that Resolution, and it was then supposed that some legislation would immediately ensue. However, at that time Mr. Charles Buller was appointed President of the Poor Law Board, and he, who had become a convert during the inquiry, was of opinion that such prejudice existed against any change that, unless there was more authority for it than the evidence taken by a Committee that the House was not likely to pass the measure for effecting it, and he appointed Commissioners whom he sent throughout the country to verify the statements made before the Committee, especially upon those details of injury said to be done to the poor by being driven out of one parish and induced to reside in another, where their dwellings were miserable and much overcrowded. These Commissioners were said to be fairly chosen. Many of them were Inspectors under the Poor Law, then in the service of the Government. I presume they were trustworthy and honourable men, because their Reports were especially referred to by Sir Robert Peel and Sir James Graham in the discussion on agricultural distress in 1850, and they spoke of them as persons deserving of credit, and as having presented a strong case for some change in the law. But the evidence collected by these Commissioners went far beyond that given before the Committee. It established beyond question all the evils that followed from the system of parochial settlement—the clearing of parishes, driving the poor out of them, and thrusting them into places already overcrowded, and into dwellings more fitted for brutes than for human beings. Unfortunately, Mr. Charles Buller died that very year; but, before he died he was already so much impressed with the evidence collected that he had given directions that a Bill should be prepared to adopt the union for purposes of rating and settlement in fourteen of the unions of the country. Mr. Baines succeeded Mr. Charles Buller. Perhaps a more cautious man than Mr. Baines never accepted a public Office. He knew perfectly well the difficulties that he had to contend with, and the peculiar interests opposed to him, and he endeavoured by various amendments—and very valuable amendments they were—to mitigate, in some degree, the evils of parochial settlement. After being three years in Office, however, he could not resist the effect of the evidence constantly brought under his notice, of the mischiefs of the system, and he felt bound to bring forward a measure to abolish removals altogether, and establish union rating. But with the view of conciliating some interests in this country, he had, unfortunately, in my opinion, omitted all provision for the Irish poor in England, and in consequence of his having done so his Bill was lost. The rejection of this Bill was made a reason for appointing a Committee to inquire into the system of removals of Irish and Scotch poor. That Committee received a great deal of evidence similar to that which had been given before other Committees, and came at once to a conclusion that the system of making the poor irremovable should be extended—that it was a mitigation of the evils of settlement, and recommended that no poor person, whether English, Irish, or Scotch, after a residence in a union for three years, should be removed by the parish officers. That Committee had the important assistance of the hon. Member for Dungarvan (Mr. Maguire), whose opinions, doubtless, from what he had seen in Ireland, were most important, and must have had influence on the Committee. One might have expected that legislation then, would have been again attempted, but some interest seems again to have prevailed, and farther inquiry was again called for. There was always somebody who said he was in the dark — always some information was wanted, and some reason or other found for not legislating in this matter. Accordingly a Committee was then demanded to inquire into the working of Sir Robert Peel's and Sir James Graham's Irremovable Poor Act itself; and after sitting for three years the Committee came to a conclusion which, from the nature of the evidence, they could not resist. The hon. Member for Worcestershire (Mr. Knight) was on that Committee, and requested to be examined by them as a witness, and then detailed at length to them all his views upon the subject, as well what he had written as what he had spoken; notwithstanding which, the Committee came to the conclusion that the Irremovable Poor Act, which the hon. Member very much condemned, was a valuable one, that it had proved beneficial to the poor, and ought to be extended; and they recommended, as the previous Committee had done, that no man ought to be removed after a residence of three years in any union. The House acted on their recommendation, and a Bill to that effect was passed, which has now been in operation about three years. After that another Committee was appointed, with the largest reference that was probably ever made on the subject, namely, to inquire into the past operation as well as the present administration of the New Poor Law. That Committee lasted three years, closing its inquiries last summer. and they also made special inquiries into the subject of inequality of rating, and incidentally into the subject of settlement, and came to the conclusion that they had ample evidence and information on the subject, and resolved that the area of rating ought to be that of the union, and that the poor of the union should be maintained from the property of the union. This is the language of the Committee—

Mr. C. P. Villiers

"Although much of the inequality which has been shown to exist as between parish and parish within the same union will now be obviated by the operation of the Irremovable Poor Act of 1861, and that inequality will be further lessened by the adjustment of the parochial rates under the provisions of the Union Assessment Act of 1862, your Committee are unable to regard that result as furnishing any reason against equalizing the charge of maintaining all classes of the poor over the several parishes of the whole union. On the contrary, it appears to them to have removed one of the greatest obstacles to the adoption of such a measure."

The Committee concluded this branch of the inquiry by the following Resolution:—

"That any measure for extending the area of rating should, in the opinion of the Committee, embrace provisions for making the whole cost for the poor in each union chargeable on the common fund of the union."

Now, that is the deliberate Resolution of the Committee which sat for three years, and if the House will look at the constitution of that Committee they will feel, I am certain, that its Members were not likely to be biassed in this matter by any party or sinister motives. The Committee justly observed that the Irremovable Act had cleared the ground for this measure, and had, by causing the rates to be levied upon property in the union according to its value, removed one of the greatest obstacle to the adoption of this measure. I know it has been said that this Bill has been introduced in the interest of the towns as against that of the rural parishes of the Committee. I beg to state, without admitting that it had any such purpose, that this Resolution was not proposed by either the Chairman or any one belonging to the Poor Law Department. It was, in fact, the proposition of a county Member. I was instructed by the Committee to draw up such a Resolution, but knowing the diversity of opinion that existed on the subject, and feeling that on various grounds it would come better from another Member, I gladly allowed it to be proposed by the hon. Member for North Devon (Mr. Buller), whose recent death we have to deplore, for I believe that a more worthy, or more sensible, or more honourable man has seldom had a seat in this House. That hon. Gentleman was perfectly satisfied with what he had done upon this subject. I communicated with him in the recess, and asked him whether such a measure as I am now proposing would meet the views of his constituents, and whether the public in his part of the world were prepared for legislation upon the Resolution of the Committee. The hon. Member told me that everything that he had seen and heard in his district had confirmed him in the view which he had entertained, and that he was satisfied the public were prepared for legislation upon the subject. In fact, what he stated gave me the impression that, in his opinion, I should not be discharging my duties as Chairman of that Committee, if I did not bring in a measure founded upon that Resolution of the Committee. When the House re-assembled for the present Session, I asked him if his opinion still remained the same, and if he believed the House would carry such a measure, and his answer was that everybody with whom he had communicated seemed to expect it, and was prepared for it. Lest it should be thought that that hon. Member regarded this measure with some favour because he sat on the same side of the House with myself, I beg to say that there was another county Member on that Committee who was most prominent in recommending it. That hon. Member will, I firmly expect, support this Bill, because from what I know of him I do not believe that he would recommend one thing upstairs and then for some reason vote against it in this House. The hon. Gentleman to whom I refer is the Member for South Devon (Mr. Kekewich.) This measure is, as I know, differently viewed by county Members on both sides of the House. It is approved by some, and felt to be irresistible by others. In alluding to hon. Members who had every reason to expect that this measure would be proposed, no one is more prominent in that respect than the Member for Worcestershire (Mr. Knight). That hon. Member was a great opponent of the Act passed in 1861, and the ground of his opposition was that union chargeability would be the inevitable consequence of the Act founded on the recommendation of the Committee. These were his words—

> (Q. 6709.) "There is no doubt that the irremovable poor will be in a very short time the rule, and the settled poor the exception. The one is an immensely increasing, and the other a decreasing proportion."

And again—

> (Q. 6777.) "It is absolutely and positively certain that a Union Rate will follow immediately—that it is only a step to a Union Rate."

I only refer to the hon. Member to show that he was among those who must have been prepared for this measure, because he resisted the former measure on the ground that this measure would have to be proposed. But, when we are asked to postpone this measure on account of the Irremovable Poor Act, I wish to know, if anybody complains of that Act. No petitions have been presented against it. It is well understood; it has been in operation for three years; and guardians are not of a class who, if they are not satisfied, are apt to be silent, and they are well represented in this House. Not a word has been said against it, for, go where you will, it is acknowledged to be a great improvement of the law. It is, in reality, an act of humanity by which thousands of poor people are allowed to remain in the locality where they have been employed, though, perhaps, destitute for awhile, instead of being sent across the country to some place where they may possibly not be known and most certainly are not wanted. If there be any county entitled to complain of the Irremovable Poor Act it is the county of Lancashire, because when the great distress occurred, according to the former custom, most of the people from the agricultural districts would have been sent back to their villages. Partly, perhaps, from disinclination to such a course, but still more probably from the great difficulty of ascertaining whether they had obtained a three years' residence in the union or not, but comparatively few removals took place. The Irish poor have especially profited by this Act by being suffered to remain in this country; but there have been no complaints that either the Irish or English have not been removed during this period. I do not know what further information is required upon the subject. The Act has done good service to the poor at least; and those who are compelled to support the poor do not complain. The expenditure for the poor has not been greater in consequence of the additional charge to the common fund, and the actual charge per head is less now than it was before this charge for irremovable poor was so placed upon the common fund — meeting in some respects the argument that had been brought against this measure, that the guardians would in administering a general fund be less watchful or become careless of the expenditure. The result tallies more with the experience obtained before with respect to the administration in large districts subject to some uniform control. Their management is frequently more intelligent, and is attended with less expense, and the paupers fewer in proportion to the population than in small parishes or unions. Upon this point there are means for making comparison. For instance, the union of the City of London consists of ninety-eight parishes, and may be compared in this respect with Lambeth, which is a single parish, but which is far larger in area, and far more populous, and it will be found that the pauperism is less, and the expenditure more economical. I do not, however, cite Lambeth especially for comparison. It will be found in other cases of uniform management, however large the district, such as in Paddington, Islington, or Marylebone, that both the expenditure and the amount of pauperism are found to be less than in the City of London, where the parochial division is so numerous. That the expenditure there is felt to be more lavish than it ought to be, and that it is not protected by its parochial system, I presume, from the fact that the City has petitioned in favour of this Bill, which will have the effect of constituting it for the relief of the poor as one parish. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley), with a view to facilitate, as he says, the discussion on this Bill, has called for a Return which, judging by the time required for similar Returns, could hardly be available to Members before next year. But, it is idle to say that this Return is necessary to enable the House to come to a decision. The right hon. Gentleman, I suppose, wants to ascertain the difference which will be caused in the charge to each parish by this measure. At the outset, I would, however, point out to him that sufficient information for his purpose is already to be found in the library. We have a Return similar to the one he wishes for, made in the year 1861. The right hon. Gentleman requires it for 1864. But for what purpose does he want it? He has got at present the expenditure and the rateable value of every union. If he wants to ascertain how much in the pound any union or parish has to pay under the present system, he can do so by dividing the rateable value by the expenditure—he would learn then the rate in the pound at which the poor were maintained in any union. If the rate were 2*s*. in the pound in the union it would be 2*s*. in the pound in the parish. All these particulars for the year 1856 are in the library. There is not generally much difference in the expenditure and certainly not in the rateable value between one year and another. If the object is only to ascertain this difference, the data we have is sufficient. I have, however, another remark to make to the right hon. Gentleman, when he says that the Return which he asks for is essential to his coming to a vote upon this subject. If this measure professed to be for the purpose of reducing the charge, or for enabling people who had been exempt before to continue so still, or that those who have paid less than they ought should not be asked to pay more, it would, of course, be a very interesting and important matter to know whether the Bill realized the intentions of the Mover. But that is not precisely the object of this Bill. This measure is recommended on general grounds of public advantage, because it will confer considerable benefit to the poor, and be an improvement upon the present system of applying the Poor Law. I do not hold myself bound to consider the various contrivances by which some people have evaded the liability which the law properly attaches to their property, or how far they may be enabled to do so in future. The Return might assist the right hon. Gentleman, perhaps, in ascertaining the difference which the measure would make in those cases. I do not see how that Return would disprove what has been so strongly supported in evidence against the present system, and in favour of the measure both as regards the poor and the property of the country. I think the question must be discussed upon its merits after all; and I contend that there is a vast amount of evidence, as well as of authority, against the bad working of the present system, and that without any reference to the particular payments of the parishes, that some change is rendered necessary. There is, I think, something like general agreement about that; and those who oppose this measure do so, because they think there will be some distribution of the union charges that may not be favourable to themselves or to those they represent, and on this account this measure has been misrepresented—Members may possibly have seen, as I have done, a curious handbill, which has been circulated by the hon. Member for Worcestershire (Mr. Knight), and which it is said he had sent to every overseer in the kingdom. But the result, I should suppose, cannot have been very satisfactory to him, for a number of these handbills have been sent to me, with letters more complimentary to the Bill now before the House than to the handbill of the hon. Gentleman. I doubt if any vestry or any parish in the kingdom has adopted the proposal the hon. Member has put forth in that handbill. The hon. Member proposes a charge of £2,000,000 upon the Consolidated Fund to indemify, I presume the owners of close parishes, for their future contributions to the poor. It would be asked by many, however, I think, who was to indemnify the general taxpayer for these £2,000,000 a year paid for the benefit of the proprietary parishes who will have to pay, in future, only as their neighbours have always done before? This House would hardly allow compensation to be given to those who would gain by the change. As far as I understand the handbill, the hon. Gentleman admits that one-half the parishes in this country will be greatly benefited by this measure, and he proposes that the general taxpayer should contribute that sum of money towards the indemnification of those who would lose by the Bill. This seems to be the condition upon which the hon. Gentleman the Member for Worcestershire (Mr. Knight), would support the Bill; a proposition not very likely to meet favour with the public. The real advantages of this Bill are that it will put a stop to a grave inconvenience to the poor, and will withdraw from their employers, among the ratepayers considerations that are extremely detrimental to the poor, and, in the long run, injurious to themselves and their property. There cannot be the least doubt of the fact, after the evidence which has been so repeatedly adduced, that there is a strong desire in rural parishes to get rid of the poor and to compel the labourers who might become chargeable to reside elsewhere. This is very detrimental to the interests of the poor, who have then to live at a distance from their work, and to get lodgings or houses wherever they can. They find these dwellings in towns and large villages where the rents are high, and with the view to economy they get crowded together in a manner that has a most injurious effect upon them both physically and morally. This is supported by evidence that cannot be disputed. Another result of this parochial system, which has been so much observed upon, is that the employer of labour is always considering what effect the employment he may give to any labourer will have upon the rates—they are always thinking whether the labourer is likely to become a pauper, and not whether he is an able, sober, and industrious man and such as they require for their work. The farmer is constantly under fear of being the means of adding to the rates, and will employ idle, drunken, and unskilful men in preference to the skilful and superior, lest the former should come upon the parish. I firmly believe that this measure would put an end to that system. It has, I believe, been stated, and will probably be stated again to-night, that though all this was true enough some years ago, and that in order to keep out the poor, the dwellings of the poor were pulled down, and that cottages were not built, that the practice had now ceased altogether. Well, there is abundant evidence to show that the practice was in full force in 1851. What the five Commissioners reported that were sent out in 1848 and 1849 we know; and we know that a gentleman, now a Member of this House, who some years afterwards went through England for the purpose of making observations upon the state of agricultural labourers, as well as the condition of agriculture generally, wrote a series of letters which now forms a most interesting volume, and that he confirmed, as existing then, what they had reported. I allude to the hon. Member for Stirling borough (Mr. Caird), who says in his work—

> "It is the commonest thing possible to find agricultural labourers lodged at such a distance from their regular employment that they have to walk an hour out in the morning and an hour home in the evening—from forty to fifty miles a week. In one county the farmers actually provide donkeys on which their labourers ride out and home to prevent their tiring themselves with walking, so that they may be more vigorous at their work. Two hours a day is a sixth part of a man's daily labour, and the enormous tax he is compelled to pay in labour, which is his only capital. Nor is this the sole evil of the practice, for the labourers are crowded into villages where the exorbitant cottage rents frequently oblige them to herd together in a manner destructive of morality and injurious to health."

This was the state of things as it was observed in 1851 by an intelligent Member of this House—and I may add, I think, not disputed by Members of either House of Parliament, for I find that Lord Malmesbury, who was examined on these matters by a witness before a Committee of the House of Lords, said in his evidence—

> "I assume also that the anomaly of our parochial system is acknowledged, its most glaring effects being that the proprietors of close rural parishes can and do transfer their poor population to a neighbouring parish, thereby reaping all the advantage of their labour when efficient without the responsibility of their maintenance when impotent. I do not think I need make any observations upon close parishes. Your Lordships are more aware than any other class of the community what they mean and how they work."

These words were uttered in 1851, and I trust hon. Gentlemen will read the Report of that Committee before they think of rejecting this Bill. I should, indeed, have been very glad to think that any person was entitled to say that the same state of things did not exist now. There was a Report, however, laid upon the table of this House three days ago made by a medical gentleman who was employed last summer by the medical department of the Privy Council to inquire into the state of the cottage accommodation throughout the rural districts of the country, and I do not hesitate to say that his Report must make a very deep impression upon the people of this kingdom. I am, indeed, satisfied that it will be read with surprise and sorrow from one end of the country to the other. It is the result apparently of careful investigation. There is no disguise of facts, no concealment of names, or any political object served. Everything is given in detail which relates to the subject, as bearing on the condition of the agricultural labourers and their families. And what is still more important to observe is that, although those inquiries could have no connection with the project of reforming our system of settlement, yet throughout that Report the condition of the labourers and the manner in which they live are apparently forced upon the conviction of the reporter, as being connected with the system of parochial settlement. It is that system which compels them to live in what I may be permitted to call the brutal state in which they are too often to be found. There are detailed accounts of the number of houses that have been pulled down in different parishes, and where, in many cases, the population has also increased and the motive for pulling down of those houses is directly ascribed to the system of settlement. It was from that Report that I made the statement which seemed to excite the hon. Member for Worcestershire (Mr. Knight) so much—namely, that there were upwards of 800 parishes where the number of houses had diminished and the population had increased. The Report has been presented, but I do not know whether it has yet been printed, and I only refer to it in order to meet the argument which may be advanced, that although these things may have existed in former times, yet that they have now ceased. The reporter seems to have had nothing but a correct statement of facts in view, for I find that credit is given where it is due, where means have been taken by proprietors to provide better accommodation for the poorer classes than formerly, and this has been done in many places. I hope therefore, that hon. Members will not rashly conclude that this is not a Bill of great importance—that it is a Bill which may be disposed of as other Bills having the same object have been dismissed. I would at least make this suggestion, that as this Report to which I have referred only became known to me when I introduced this measure, and as it has not yet been placed in the hands of Members, that the opponents of this Bill will not venture to reject it until they have had an opportunity of reading that Report. [Lord John Manners: Postpone this Bill.] No, I cannot do that. There will be plenty of opportunities of getting rid of this Bill besides the second reading. Judging from the eager manner of the noble Lord opposite I am afraid that he intends to oppose the Bill, and that he expects his opposition will be successful. I think really that he and those who think with him might well postpone their opposition until the next stage, when they will have better means of judging of the value of this measure. I believe they will be as much struck with the Report I have referred to as I have been, and they would then have cause for regret, if they had rejected this Bill in ignorance of the real condition of our agricultural population, and which was ascribed by the intelligent men to whom the inquiry was intrusted to the operation of the system which it is the purpose of this measure to improve.

I am not now disposed to detain the House longer, for I cannot hope to influence them by my own authority or by any further statements that I can make; but I cannot help adding some observations as to the effect of this measure by one who has had great experience in witnessing the operations of the Poor Law, who was one of the original Commissioners for administering that law, though subsequently for a long time absent from England, and who finds the same faults in the system that he observed when he left. I refer to Sir Edmund Head, who before he left England wrote upon the subject and went fully into the question of parochial settlement, and now has republished the article which he wrote before he went to America. [Lord John Manners: That refers to a long time ago.] Yes; the paper was written a long time ago, but the writer, finding substantially the same things existing now of which he complained before, republishes his observations, and thereby reiterates his opinion. Sir Edmund Head writes thus in supporting the principle of the measure—

"All power of limiting the number of cottages, simply for the purpose of avoiding the burden on a particular parish, would be taken away. Two or three proprietors may now combine, but the owners of land in so large an area as an union cannot possibly act upon an experiment of this kind, even if the abolition of settlement and the diffusion of the charge of relief over a wider area should leave them an adequate motive for so doing. The poor man would have a better chance of living where his work was wanted, and of procuring sufficient accommodation for his family as they grew up. The effect of the present law on his character would cease. Whether he was to be hired by a particular farmer would no longer depend upon the fact whether he was already settled in the parish in which that farmer paid his rates, but on the question whether his own habits and his own industry made him worth hiring. He would reap the consequences of his own conduct, without those consequences being overruled by the accident of his own or his father's settlement. If a good workman and a single man, he would no longer, as now, get less wages; under which disguise many an honest labourer is at present virtually paying what the parish would otherwise have to pay as poor rates, in order to support an idle neighbour and his family at a lower rate than they would cost in the workhouse. Lastly, in case of sickness he would have no difficulty in obtaining relief; the obligation could not be thrust off by an order of removal, nor could he be transferred to some distant parish, in which he knew no one and was known by no one. The scheme proposed has another positive merit. It equalizes the charge on the ratepayers; and no part of the land would escape from its fair share of the burden of the district. Nor is this principle new to the English Poor Law. By the 43rd of Elizabeth the justices are empowered to impose rates in aid of neighbouring parishes; that is to say, to spread the pressure over a wider surface, when it has become intolerable within the narrower circle."

That was the opinion formed by Sir Edmund Head after many years experience of the Poor Law, and which he finds is still applicable to the present state of things. I venture to quote his views as they are identical with my own; and I now confidently ask the House to read this Bill a second time, believing fully that it is calculated to meet the evils pointed out by Sir Edmund Head, and indeed I may say of every other intelligent authority who has paid attention to the subject, and has maturely considered the effect of parochial settlement.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. C. P. Villiers.*)

Sir RAINALD KNIGHTLEY, in rising to move the Amendment, of which he had given notice, said, he had heard with much pleasure the observation of the right hon. Gentleman, who, referring to the hon. Member for South Devon (Mr. Kekewich), said, that he felt convinced that hon. Member would not have proposed a Resolution in a Committee upstairs to the terms of which he would not adhere in that House. Upon hearing that observation, he (Sir Rainald Knightley) felt that he had a right to claim the vote of the right hon. Gentleman the President of the Poor Law Board, because he was informed that right hon. Gentleman himself had proposed in the Committee a Resolution as nearly as possible the same as the Amendment which he was about to submit. But, before discussing the question of this Bill, he would state briefly the reasons which induced him to interpose his Resolution before the Amendment of which notice had been given by the hon. Member for Worcestershire (Mr. Knight). In the course of conversation with many Members on both sides of the House, he heard an opinion very generally expressed that this was not regarded as a party question, and he hoped it would not be so considered upon the present occasion. Many Members, he found also, were not disposed to vote for the second reading of this Bill, nor for the Amendment of the hon. Member for Worcestershire, simply because they had not sufficient information upon the subject. They were not in a position to judge of how far certain towns and villages had suffered for the benefit of other places, nor how the evils complained of had been mitigated or were still in existence. In fact, they were voting in the dark. Then, again, with regard to the Union Assessment Act passed three years ago, they had no information, because from the vague and uncertain phraseology of that statute it was not too much to say that no two contiguous unions adopted the same interpretation of it. Having regard to the gross estimated value and gross rental, the widest differences existed as to the deductions that were to be made. Deductions allowed in some places were refused in others. In some unions the deductions upon land amounted to only 1 or 2 per cent, in others the deductions reached 10 or 12 per cent, while in some unions no decision had yet been come to on the subject; in fact, that Act, although passed three years ago, in many places was to all intents and purposes a dead letter. He found, also, that there was a general feeling that a measure of this great importance, affecting as it would the relative value of every acre of land in the kingdom, ought not to be dealt with by a moribund Parliament in almost the last hours of its existence, and that it would be better to remit the whole question to the consideration of the country at the next general election, leaving it for the future Parliament to deal efficiently with the question. Many Members, also, were disinclined to vote for the Amendment of the hon. Member for Worcestershire, not wishing to commit themselves absolutely as opposed to a principle which subsequent information might lead them to approve. He opposed the Bill on two grounds—first, because it would interfere with the rights of property; and, secondly—and it was infinitely the more important ground—because in his opinion it would prejudice the interests of the labouring classes themselves. Taking the least important objection first—in his own parish there was only one single plough field; and the same thing occurred in many parishes of Leicestershire and Warwickshire. These were not close parishes—they belonged to different owners; but the means of employment there being very small the population was necessarily very scanty, and the rates were very low. It would be hard upon the ratepayers of such parishes to call upon them to support the pauper population of distant districts—possibly in different counties—for the area of some unions embraced different counties. With the poor in these unions they would have no connection whatever, and would have derived no benefit from their labour, and therefore the ratepayers would be called on to pay higher poor rates, merely to put money into the pockets of the proprietors in other parishes. This would not be robbing Peter to pay Paul; it would be robbing Peter to make Paul a present of that which he had no right to. Such a measure would affect the small much more than the large proprietors, because where a man owned land in various districts the probability was that he would be assessed at a high rate in some and at a low rate in others, so that a fair balance would be struck on the whole. But to the small proprietors an additional 1*s.* in the pound would prove an intolerable burden. You had no more right to confiscate the property of these persons for the benefit of other proprietors than Parliament would have to assess the salary of the right hon. Gentleman, or that of any Member in this House, for the purpose of handing it over to other people. He could understand the principle of parochial rating, he could understand also the principle of charging the whole burden of the poor upon the Consolidated Fund; but he did not understand the justice of union rating. As matter of local rating it was too large, for Imperial rating it was too small. Parochial rating had existed from the time of Elizabeth. Landowners had purchased their property subject to these burdens, and therefore no one had a right to complain. Moreover it was but just and right that those who derived benefit from the labour of the working men while in health should support them when they could work no longer. ["Hear, hear!"] He understood those cheers—it was asserted that at present large landowners, by keeping "close" parishes, contrived to shuffle off their responsibilities to the shoulders of their poorer neighbours. This led to the vexed question of "open" and "close" parishes. Now, the proportion of close to open parishes was very small; and was it just to enact a great wrong in ninety-nine cases merely for the sake of rectifying some apparent anomaly in the hundredth case? He would not, however, rest his defence of the present system upon this ground. Taking them as a body, no class of men discharged their duties to those in their employ more conscientiously than landowners did; but, for the purposes of the argument, he would assume that the landlord was a harsh, hard-hearted man, who depopulated his own property and drove all the poor into the neighbouring town on the outskirts of his union, for the sake of relieving himself from poor rates. How did this benefit the large owner and injure the smaller owners? In these discussions you always heard a pitiful description of the poor labourer, weary and wayworn with having to walk several miles to and from his daily work. [*Cheers.*] He could tell hon. Gentlemen who cheered that this was simply twaddle. ["Oh, oh!"] If the labourer had to compete with other labourers who lived on the estate, no doubt he would be injured; but this was not the case. The tenant-farmer, his employer, was no doubt injured, for he only received three parts of a day's work instead of a whole day's work — the services of a partially-tired man in the place of the services of a wholly fresh one. In entering into his farm, however, this loss was taken into consideration, and the tenant-farmers paid a smaller rate in consequence. ["Oh!"] Thus neither the labourers nor the tenants would be affected; and at the utmost, the landlord was only guilty of an act of suicidal folly, which injured nobody but himself. It might be said that men were not like machines which never grew sick or old, and that landed proprietors had no right to use up the labourer while he was young and when he was old and worn-out hand him over to be supported by the small ratepayers, and that the hardship fell upon the small shopkeepers. At first sight this appeared just; but if hon. Gentlemen looked closely into the question they might find, as he had found, that they had jumped to a conclusion too hastily. The point generally omitted from the calculation was — "Where are the wages spent?" A certain number of labourers was required for the close parish, and every sixpence of their earnings was spent, not in the close parish where they worked, but in the open parish where they lived. The small tradesmen were able to carry on their business in consequence of the money thus spent among them, and derived a benefit more than proportionate to the liability of maintaining these labourers when in poverty. If they looked to the assessments throughout the country they would find that wherever population was the most numerous, property was the most valuable in proportion to the acreage. According to the principles of the political economists the origin of all wealth was labour; and it was the expenditure of wages which produced large towns and increased the value of the land there. The Manchester manufactures occupied precisely the same position in regard to the labourer as the cruel hard-hearted landlord — both employed labour while it was remunerative, and ceased to do so when it became remunerative no longer; but if during the cotton famine the factory hands had emigrated in large numbers, the rates might have been lower, but the manufacturers' and tradesmen's profits and the value of property would have diminished in a far greater degree. His main and chief objection to the measure was based upon the manner in which it would operate on the labouring class. Any one at all acquainted with agricultural matters—and he did not now allude to the President of the Poor Law Board, who knew nothing more of the rural districts than of the interior of Africa, and might never have seen a green field—was very well aware that during a considerable period of the year agricultural labour was not remunerative. During the greater part of the spring, summer, and autumn it was absolutely necessary for the cultivation of the soil; but during the dead months of the winter farmers only employed the labourers because they knew that otherwise they would have to keep them out of their own pockets by means of the poor rate. In every parish with which he was acquainted this course was adopted to a considerable extent, and the poor labourers were maintained in comparative comfort in their own cottages, instead of being sent to the workhouse, which they regarded with the greatest horror and detestation. But if the present Bill passed there would be no alternative. The maintenance of each individual pauper was an important consideration in a small parish, but it was only a drop in the ocean in a large union. The farmer would naturally ask "Why should I keep my own men if, in addition, I have to pay taxes towards the support of the workmen of other people?" And the consequence would be that the union workhouses and the gaols would be filled to repletion, rates would be increased, and the comforts of the poor would be diminished. The hon. Baronet concluded by moving the Amendment.

Mr. BANKS STANHOPE rose to second the Amendment, and said that the right hon. Gentleman the President of the Poor Law Board thought it odd that any hon. Member of that House should require more information on this important subject. Well, he (Mr. Stanhope) was one of those benighted individuals. The right hon. Gentleman described to the House in a most touching way the contents of a report of a certain medical officer—he went further, and asked hon. Members not to defeat his Bill without being acquainted with all the particulars. This was what his hon. Friend (Sir Rainald Knightley) and himself asked, though in a different form—namely, that the House would not proceed with the Bill till they had made themselves acquainted with all the circumstances of the case. A considerable change took place in the law not four years ago, when the Irremovable Poor Act was passed, and he did not see how they could well determine what should be the nature of future legislation until the different changes which had already been introduced into the law should have been properly tried. That Act had been successful or it had not. If it had been successful he could not see on what plea it was to be upset. If, on the other hand, it had been unsuccessful, that fact pointed out to the Legislature that they ought to be excessively careful how far they made any such further changes in the law. The effect of the Bill would be twofold. It would change the condition of the poor; it would redistribute the charges on land. He was willing to admit that there had in some places been a want of comfortable cottage lodging for the labourers; but during the last few years he had been living in a part of the country where year by year new cottages were being built. He must say, with regard to landlords, that to put up new and good cottages was simply an act of benevolence on their part. They did not build them as matters of speculation, but, after erecting them in the most commodious way possible, they allowed the labourers to live in them at a low rent. Therefore, unless it could be shown that there was a disposition on the part of the landlords to pull down cottages, and that the consequent evil could only be remedied by this Bill, it ought not to be passed. If the Bill compelled landlords to build cottages, and the poor would be benefited, that might be a great good; but the fact must not be undervalued, that the landlords did look on the poor as belonging to them individually, and that partly from benevolence, and partly from feelings of the pocket as ratepayers, the landlords and their tenants did employ a vast amonnt of unprofitable labour. Then as to the difference that the new mode of rating would produce in the value of property, one of his tenants had mentioned to him the amount which would fall in addition upon his farm. Well, that meant difference of income to the landholder. Evidence had been given before the Parliamentary Committee, showing what the effect of union rating would be upon the employment of labour in the county of Norfolk, which showed that the consequences would not be beneficial to the labouring class. He understood that the Bill would produce a redistribution of charge between different parishes to the amount of £2,500,000; and surely they had some right to ask the Government for clear information on that point. At present they had only a Return which told them the state of things in 1836. That Return was comparatively valueless, as what was paid in 1836 was no approximate evidence even of what was paid last year. They had a right to know what was paid in every parish in 1864, and what would be paid if that Bill came into operation. He did not think it quite fair to take an individual case, but he was given to understand that the town of Boston would have actually saved nearly

£1,000 during the last half year if the present Bill had been law, or, in other words, the charge upon Boston would have been reduced from £1,719 to £760. On the other hand, two rural parishes, situate about six miles from that town, which, as a rule, managed their own land with their own labourers, and which when they wanted extra labourers, got them from other parishes but not from Boston, would under this measure have had their rates for the same half-year very nearly trebled. That was not a case of close as against open parishes, because in the whole union comprising forty-three parishes, the result of the new Bill would be a decrease in a certain number of parishes of £1,143 of which Boston alone took £959 leaving only three other parishes out of the entire forty-three in the least benefited by it, while all the rest, which were not at all close parishes, would have their rates actually increased in order to relieve a large town of 17,000 inhabitants, which naturally had a considerable poor population. Again, Lincoln had about 20,000 inhabitants. It had been an agricultural town, but was now becoming a great manufacturing one. Agricultural implements were manufactured there to a large extent, and one firm of European reputation alone employed some two or three thousand hands. Well, if in these days of strikes an unfortunate difference between master and men were to arise, these men and their families might be thrown not upon the city of Lincoln, but upon the union of Lincoln for relief; and thus the manufacturing poor would be a burden not to the town where they had earned their bread, and which they had enriched by their industry, but to those parishes which had nothing to do with them. Might there not be other cases in which a burden thus self-created in a town would be thrown upon the county? They were entitled, therefore, to know in what way the Government met points of that kind. Without stating what course he might deem it his duty to take on that question in any future year, he would only add that he should cordially support the Amendment then before the House.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "considering the little knowledge this House possesses as to the practical working of the Irremovable Poor Act of 1861, it is inexpedient, without further information, to legislate on the subject of Union Rating during the present Session," —(*Sir Rainald Knightley,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR EDWARD DERING said, he hoped the House would pause before giving its assent to the second reading of this Bill. He agreed with the hon. Member opposite that a measure which must affect the liability of every parish in the kingdom was one of such paramount importance that it ought not to be dealt with until they received information much more accurate than any they now possessed—indeed, it ought not to be dealt with till they had an opportunity of personally consulting those whose interests would be so seriously affected by the change. They must bear in mind that if they once established the principle of union settlement and union rating it would be utterly impossible ever again to revert to the old parochial principle; and, therefore, by legislating in the absence of accurate information they might inadvertently inflict irreparable injury on a large portion of the rural districts. They had been rather taunted for thirsting for more information on that subject; but what information had they received either from the right hon. Gentleman (Mr. Villiers) or from any papers that had been laid on the table, as to the extent of the change which the Bill would make in the respective burdens of town and country? The right hon. Gentleman was diffuse on many other points; he advanced many arguments in favour of a union settlement which it would be very difficult to refute; but, with regard to the all important point above stated, he had maintained a discreet and almost eloquent silence. If the right hon. Gentleman had spoken as to that, his sense of truth would have obliged him to tell them that the effect of the Bill in all unions which comprised one or more large towns and a certain number of agricultural parishes would be, that the rates would be very much diminished in all the town and proportionately increased in all the agricultural parishes. He was not speaking at random on the point, for he held in his hand a document very much in the nature of that for which the right hon. Member for Oxfordshire (Mr. Henley) had moved—namely, a detailed statement of particulars regarding all the [parishes included in the Isle of Thanet Union. First, it gave the names of the different parishes, then the rateable value of each, the amount which they contributed to the relief of the parochial poor as distinguished from their contributions to the common fund; and by adding the two together they would arrive at the total expenditure of each parish: and by referring to what the right hon. Gentleman told them might be found in the library—namely, the rateable value of every parish, it was not difficult to ascertain exactly what each parish would have paid during the past year, supposing the present Bill had been the law of the land. That was the practical kind of information which it was so desirable they should have before them. From the Return which he was about to quote and which was made up for the six months ending July 1864, he found that in Margate, Ramsgate, and the adjacent urban parishes of St. Lawrence and St. Peter, the saving in their rates during the past year would have been no less than £417; while in the other seven rural parishes composing the remainder of the Isle of Thanet Union there would have been an increase in one of 40 per cent, in another of 50 per cent, in another of 100 per cent, and in another—a type of the class of parishes referred to by the hon. Member for Northamptonshire (Sir Rainald Knightley)—a small parish with a population of only forty-two persons, and without a single pauper, the charge would have been raised by this measure from £7 to £49. He could vouch for the accuracy of that Return, because it was one sent to the Poor Law Board by the authority of the right hon. Gentleman himself. He thought they were entitled to ask upon what principle this shifting of burdens was to be justified. It would hardly be contended that the agriculturalists did not contribute their fair share of parochial burdens. If there were any idea of that sort it ought to be stated openly, and they ought to be put on the same footing as towns were. But no such allegation was made. On the contrary, the 9th clause of the Act of 1861, which made a change in the mode of contributing to the common fund, undoubtedly did operate to the disadvantage of the country parishes. When the Bill was in Committee that was allowed by Sir George Lewis with his usual frankness. In the absence of information they had a right to ask the right hon. Gentleman to suspend the second reading of the Bill until the House was in possession of that information. Returns such as he had quoted could be made out by any intelligent clerk of a union in a very short time; and if they showed that other parishes in the country coincided with the cases he had quoted, he was sure there would be no party in the House who would wish to relieve one part of the community at the expense of another. With regard to the Motion before the House, when they were in possession of accurate information he saw no reason why they should not discuss the general principle of the Bill; but at present they were not in possession of that information. The Bill of 1861, which was of almost equal importance with this, did not go into Committee until the end of June. The recess was now close at hand; in the interval all the accurate information might be obtained which was requisite for a full discussion of the Bill, and hon. Members would have ample time to learn the opinions of their constituents on the measure. If, therefore, it were in accordance with the forms of the House, he should be disposed to move that the second reading of the Bill be postponed until after Easter.

MR. STANILAND said, he did not agree with the hon. Baronet (Sir Edward Dering) that there was any necessity for postponing the discussion on the second reading of this Bill, for, after all, it was only an extension of the Act of 1861, and though that Act had been in operation now nearly four years, there had been no petitions presented against it; so that it might be fairly taken to be approved by the country. The hon. Member for North Lincolnshire (Mr. Banks Stanhope) had pointed out that the town which he had the honour to represent (Boston) would be relieved by this Bill of some £1,700 or £1,800 a year of expenditure for the poor. It certainly would have the effect of relieving that town from considerable sums now paid by it; but the fact was that three-quarters of the relief would be in consequence of getting rid of the maintenance of people who came into the town from adjoining parishes. Certainly there was no man who had a better right to be heard on this subject than the hon. Gentleman the Member for North Lincoln, for there was no man whose estate had undergone greater improvements, who was a larger employer of labour, or whose cottages were in a better condition. He should like, however, to call the hon.

Gentleman's attention to a town close to him — Louth — which contained 14,000 people, and which supplied the labour for at least two-thirds of the acreage within five miles of the town. In the parishes around there were scarcely half cottages enough to shelter the people who worked on these estates. The people had to go four or five miles to their work, and to return the same distance at night. There was another small town in the middle of the fen district of Lincolnshire, which contained a considerable population, engaged, within a circuit of five miles, in supplying labour which ought to be resident on the estates. In supporting the second reading of the Bill, however, he wished to state his opinion that the assessment to the relief of the poor was not on an equitable footing. He considered that every kind of property, real and personal, ought to contribute to the relief of the poor. There was no reason why real property alone should be chargeable to the rate. The principle of the statute of Elizabeth placed all property on the same footing. Every man was to contribute according to his means for the relief of the poor. But at the time that statute was passed personal property was comparatively of insignificant amount, and therefore personal property was not assessed. At present the average rate was 2*s.* in the pound, and the gross charge £6,000,000. A penny in the pound on all property, real and personal, as the Income tax experience taught them, would produce £1,000,000, and if, therefore, all property were taxed, from whatever source it might be derived, a rate of 6*d.* in the pound would cover all the expenditure. He was quite prepared, either now or in a future Parliament, to vote for a Committee on the subject, and to show that the assessment should be on personal as well as on real property. All who had spoken or written on the subject had come to the conclusion that it was just that personal property should be rated to the relief of the poor, or that the poor should be supported out of the Public Exchequer. But it was urged, on the other hand, that the moment the hands of the guardians might be dipped into the National Exchequer, all motives to economy would be removed. That appeared a startling objection ; but he did not think that such would be the case. At present certain annual grants were made out of the public funds in aid of local expenditure for particular objects; for instance, one-fourth was contributed towards the payment of the county police, and contributions were also made towards the support of prisoners in gaols, and in neither case was it alleged that there was any encouragement to wasteful or excessive expenditure. It was unfair, therefore, to assume that the guardians of the poor would be made extravagant if such a course were adopted. At all events, it would not be very difficult to devise some check. A grant founded upon the average expenditure of a certain number of years might be made, and if that were exceeded the guardians might be obliged to make up the difference. That, he thought, would operate as an effectual check. Feeling, then, the measure, before the House was not a final one but that it was a step towards making every description of property pay, and towards the abolition of the Law of Settlement, he had great pleasure in giving his support to the Motion for the second reading.

Mr. BENTINCK said, that the right hon. Gentleman the President of the Poor Law Board in introducing the subject, and giving a summary of former legislation in its regard, had made use of the somewhat remarkable expression "that in by-gone times somebody was always in the dark, and could not see the way." But that was precisely the position of Her Majesty's Government on this occasion : and that also was the position in which they wished to place the House; for there never was an instance upon record before now of a Government asking the House to proceed at once to the second reading of a Bill which involved, as this measure did, a large transfer of property upon such scanty information as they at present had on the subject. So much was this the case that hon. Member after hon. Member had risen to show how completely the operation of the Bill would in different localities disappoint the objects and intentions of the right hon. Gentleman. He was able to contribute from his part of the country something towards the stock of information. He was acquainted with a union—Downham—which consisted of thirty-four parishes, of which eighteen would be largely benefited, while sixteen would be losers by the Bill. But the most curious fact was that in this case it was the close parishes that would be the gainers. Now, that was directly at variance with what he conceived to be the right hon. Gentleman's object. In the Lynn union there were four parishes, two strictly urban and two strictly agricultural; and the effect of the measure would be to throw upon these agricultural parishes, which had no interest whatever in the matter, the maintenance of a large proportion of the poor of the other two parishes. In one case there was an occupier whose poor rates would be raised from £8 to upwards of £130, and that was a transfer of property which he maintained ought not to be made or even proposed without a great deal more information than the House possessed. He did not wish to be understood as saying that they were never at any future time to legislate upon the question—what he contended for was time to obtain ample information before proceeding to legislate. His impression was that the general effect of the Bill would be too much for the benefit of the towns, and too much against the rural districts. That was a description of legislation of which that House had always been too fond, and which he was always prepared to oppose. Another and perhaps the most important point was this—namely, the effect which it would have upon the labouring poor. His own belief was that it would induce occupiers not to employ the labouring poor at times when their labour was not remunerative, but rather to throw them upon the relief. That fact alone, putting aside the question of finance, and taking the whole question upon the ground of humanity, formed a sufficient objection to the passing of the Bill at present. The right hon. Gentleman himself was not prepared to say that the Bill would not have that effect, for, if so, he would have stated it in his very able speech. The right hon. Gentleman had gone to the table and quoted a Report which he had seen, but which the House had not, in favour of the Bill. But surely such a proceeding had never before been witnessed in the annals of legislation. The strongest argument against the Bill was to be found in the statement of the right hon. Gentleman himself. It was not fair to ask the House, with such information as was before it, to come to a decision upon a question not only of great financial importance, but which probably would act most injuriously upon the condition of the labouring poor. Without binding himself for any future time, but merely contending that the present was not the proper moment to legislate, because the House had not sufficient information, he should support the Amendment of his hon. Friend.

MR. HODGKINSON said, the opponents of the Bill had based their objections to it mainly on the ground that it would effect a redistribution of burdens for parochial relief, and consequently create injustice. It was impossible to deny that the effect of the Bill would be to redistribute the burden of the poor rate to some extent; but so far from admitting that that re-adjustment would be unjust, he contended that it was absolutely necessary for the purpose of remedying an injustice already existing, and which, though partially remedied by recent legislation, still required the enactment of such a measure as this. When hon. Members talked of the shifting or redistribution of the burdens, they ought to bear in mind that burdens might be shifted by various methods, not only by the direct action of the Legislature, but by individuals in their own interests, in their own parishes setting at defiance and frustrating the intentions of the Legislature, or by different circumstances arising not at all contemplated by the Legislature when the burden was imposed. When the burden became shifted by either of these two latter means it was the duty of the Legislature not only to prevent any further frustration of its original design, but to readjust the burden which had become disturbed or disarranged. If hon. Members would carry their minds back to the original design and intention of the Poor Law, they would not fail to see how far in the course of time the gradual operation of the law had departed from that original design. The first Act was the 7th Henry VIII., which created the office of overseer, the contributions were voluntary, and at that time each parish was not dependent upon its own resources for the maintenance of its own poor, for the surplus collections were to go in aid of the less affluent parishes. These voluntary contributions were found to be insufficient, and the next act was a sort of hybrid. The 5th Elizabeth gave power to justices with the churchwardens to assess compulsorily all those who were obstinate and would not give voluntarily. In ten years that Act came to an end. The parochial system was altogether ignored, and a state of things was established almost identical with the condition of things which would be in existence if the present Bill became law. By the 14th Elizabeth the magistrates of each county were required to separate their counties into divisions, and the justices residing in each division were required to levy a rate in that division to be applied to the support of the poor, those divisions being almost analogous to the unions of the present day. That Act was in operation for thirty years. Then followed a great many provisions which remained in existence at the present day. It was impossible for anybody to peruse these Acts of Parliament without being aware that it was the intention of the Legislature that, persons should contribute fairly according to the rateable property they possessed, and not according to particular localities or parishes. The Act of Elizabeth established no law of settlement and gave no power of removal — the right to relief attached wherever the necessity for relief arose. There were various Acts of Parliament between the Act of Elizabeth and the Act of 1834, all having the object of equalizing the rates as between parishes, and the law of settlement was intended to prevent inequality among parishes, though it was quite true that in the course of time its effect had been to provoke the inequality which it was passed to counteract. The hon. Member for Northamptonshire (Sir Rainald Knightley) seemed to grumble that the towns would benefit by this Bill, and escape from part of their present burden. The hon. Member said if the labourers did not reside in the parish where they worked, and became chargeable to that in which they resided, the latter got a *quid pro quo* in the expenditure of the labourers' wages. The expenditure of a labourer was in bread, bacon, and beer. And who were the producers of those articles? It was said that where the population was, property increased in some places a hundredfold; but if so, the rates would increase also. The hon. Member for Lincolnshire (Mr. Banks Stanhope) asked, if it would not be most unjust if, in case the 2,000 hands employed by a firm in Lincoln required parish relief, the agricultural parishes should assist in supporting them? The hon. Gentleman who used that illustration was rather unfortunate in the instance he had selected, for the large firm in question were employed in making implements in order that the agriculturists might more profitably cultivate their lands. In former days the village blacksmith made their implements, and if he became a pauper they would have been obliged to support him. It had been said by the hon. Member for Northamptonshire that by increasing the area of rating they would diminish the responsibility of the guardians; but if the area was not too large for the purpose of management, how could it be too large for the purpose of rating? A union rate was not analogous to a national rate. A national rate was not the principle involved in this Bill. Some appeared to think that this was a step towards a national rate. But it was nothing of the sort. It was a measure of justice. It restored matters to the original principle that those occupying rateable property whether in one parish or another should contribute *pro ratâ*, according to their means, to the relief of the poor. He trusted that the Motion of the hon. Baronet the Member for Northamptonshire would not be adopted, which would be the next thing to rejecting the measure altogether.

Sir WILLIAM JOLLIFFE said, he entirely supported the principle of the measure, and could not vote for the Amendment of the hon. Member for Northamptonshire merely because it would seem a certain Report had not been read by the whole body of the House. This was not a question that had come suddenly upon the country, nor was this a Bill that could be said to be unexpected. The country in fact had long been disciplined into the belief that some such measure must of necessity follow the legislation which had already taken place. The hon. Member who argued against this Bill appeared to think that nothing had been done in the direction in which this Bill aimed, and that this had been the first attempt to equalize the burdens between the different parishes. Why, on several occasions measures have been passed by this House the effect of which would be to shift the liability of property; and notably in 1861 an extensive measure was passed, by which rather more than one-fourth of the union charge was thrown upon the common fund. A still greater change wa seffected by the Bill which was passed in the following year; and these combined acts placed nearly one-half of the whole charge upon the common fund. Was it rational, therefore, to think that the House was not prepared for the measure now before it? Ever since the passing of the Poor Law Amendment Act, in 1836, we had experienced the disadvantage of the combined parochial and union system. There was hardly a Session of

Parliament in which some amendment had not been made in the Poor Law—all arising from these systems not working together for the benefit of the poor, or according to the original intentions. Some parishes remained scarcely chargeable at all for the relief of the poor, and others became less chargeable than they had been; and it had therefore become necessary to amend the law. The measure passed in 1861 was an important one, and, as far as he knew—and he had had as much experience in the working of the system as most country gentlemen — the evils which formerly existed had been much mitigated, and in the unions with which he was connected much satisfaction was felt at the operation of the present law, as being a great improvement upon that which previously existed. The arguments of the hon. Member for North Lincolnshire (Mr. Banks Stanhope) did not at all apply in this matter. He stated that he was afraid the poor would suffer by this measure, and he wanted to know what would become of the bad labourer. The misfortune of the present system was that it encouraged the employment of the drunkard and the idle person. But this would not be so if the area were not so restricted. The proposed measure would produce a great moral effect; it would not only conduce to the better health of the labourers, but it would have a tendency to discountenance the employment of undeserving men, and at the same time the position of the good labourer would be much improved. The parochial system was a merely nominal affair—parish officers did nothing unless they were instructed by the guardians—the system embarrassed the operations of the board of guardians very considerably, while it in no way added to the benefit of the poor. Having destroyed the parochial system altogether he should be extremely glad to find that the House was prepared to establish an efficient union system. This would be the only solution of the difficulty. They would then have guardians who would have no conflicting interests, but who would go to their boards to carry out a uniform system with a common object, and the important institutions for the maintenance of the poor would be much better carried out than at present. The burdens would be far more justly distributed. He had no hesitation in saying that he would give his support to the second reading of this Bill, and he was extremely sorry that any attempt should have been made to delay such a beneficial measure.

Lord HENLEY said, he would deal with this question apart from any party considerations whatever. The Bill was opposed for want of information, which hon. Members could easily obtain by seeking it in the records of the unions to which they belonged. If the information were put before each Gentleman separately with respect to his own union, no doubt he would be able to judge how far it would affect the parishes in the union. It was simply a question of unions. It was impossible to live in a rural distict without taking a great interest in those matters concerning the maintenance of the poor. He had looked into the working of the Act of 1861, and regarded it as a considerable improvement upon the previous law, as it made all the parishes contribute towards the common fund of the union in proportion to the rateable value of the property in the parish, and not in proportion to the money expended in the relief of the poor during any given year. That was a step in the right direction; but the Act did not go far enough in making close parishes contribute to the relief of the poor in their own district. The Bill now before the House was aimed at that particular object, and would more thoroughly carry out the intention of the Act of 1861. Its effect would be to remedy many of the evils at present existing. The employers of labour in close parishes kept their men as long as they were strong and healthy, but the moment they became old and infirm they were thrown upon the rates of those parishes which were already over-peopled and over-rated. In his own union, out of twenty-eight parishes three were what were called close parishes. The rateable value of the three was £8,077 a year. Before the Act of 1861 those three parishes combined only contributed £16 a year to the support of the poor. The effect of the Act of 1861 was that those three parishes contributed just under £200 a year to the common fund of the union. This was about 6*d.* in the pound on the rates of those parishes; but could this be considered a sufficient contribution for them when there was a parish in the union that was paying nearly 6*s.* in the pound? He asserted that this was a great and grievous injustice. Nor was this an extraordinary case, for close parishes were to be found in many unions. It was said that there were grass lands in many of these parishes, and that comparatively few labourers were employed in consequence. He should, however, like to know whether an amount of produce that gave a rateable value of £8,000 a year, or a gross produce of about £25,000, could be obtained without raising a great quantity of beef, mutton, dairy produce, and corn, and without employing a considerable quantity of labour? What would be the effect in his union if this Bill passed? The close parishes, which now paid a rate of 6*d.* in the pound, would, in common with the other parishes of the union, pay a rate of about 1*s.* 5*d.* or 1*s.* 6*d.* in the pound. That would not be an excessive amount of poor rate for any parish to pay; and considering that there was a parish in the union now paying 5*s.* or 6*s.* in the pound, it would not be inequitable if such a uniform rate were distributed over the whole union. It was not unreasonably argued that, under the present measure, it would be to the interest of proprietors to build a certain number of cottages suitable for their labourers, and that the poor would be benefited thereby. An objection had, however, been raised that small proprietors would be stimulated to build more cottages than were wanted, and thus flood the union with labourers. But it was very rare to find a union overpopulated. He scarcely ever recollected such a case, for any such district was soon relieved by the excess of labour going to the nearest towns. Another objection to the Bill was that a want of economy would be occasioned by the new system, and that the guardians would not be so careful in administering the union rate, because the money would not come out of the rates of their own parish. He did not see any very great difficulty upon this point. A guardian was now very much interested in keeping down the relief to any poor man from his own parish, and under the new system he might be anxious to give as much as possible, knowing that it would come out of the union fund. But then all the other guardians would be a check upon the guardians of a particular parish. He believed, too, that parishes would be more interested in sending their guardians to the Board meetings than hitherto, and that there would be a larger attendance than at present. Another apprehension was entertained in regard to labourers not quite able-bodied or strong, who were now employed by the parishes at a moderate rate of wages on the roads, &c., rather than allow them to fall on the rates. It was feared that this class of labourers would be thrown out of work. He did not believe this would be the case, or that the guardians would be so extravagant as to have no regard for the purse of the union. The relief of the poor was so well understood, and had become so much a matter of routine, that things would go on under the new law very much as they did at present. He supported the Bill with great satisfaction, believing that it would be a great benefit to all, except those landlords and parishes which had for ages shirked their proper amount of help to the poor.

MR. SCOURFIELD wished to know how this measure would affect the existing areas of unions—a subject which had not yet been alluded to. Many parishes had great reason to complain of the way in which they were annexed to particular unions; and although there was a power by law of detaching them and of annexing them to other unions, there were difficulties in the way of such a step for the majority bound the minority, and the authorities in London were usually unwilling to make a change. If the present Bill became law this difficulty would be very much enhanced, and it would be almost impossible for a parish, whatever reason it might have for complaint, to detach itself from the union. In the county of Anglesea there were, for example, twenty or thirty parishes annexed to unions in the county of Carnarvon, because Anglesea was unwilling to build a union workhouse. He should certainly like to know whether the question of the areability of the unions was to be considered simultaneously with the passage of this Bill. He should be sorry to go so far as to vote for the rejection of this Bill, for Parliament had been travelling in the direction of union rating, and they could not pronounce that to be unjust which had been in practice for some years; but he still thought that those who advocated caution had some reason for what they said. Sums of 1*s.* and 1*s.* 6*d.* in the pound were talked of with a freedom which might make the Chancellor of the Exchequer lick his lips, and which was hardly consistent with the sensitiveness shown by Parliament when 1*d.* or 2*d.* in the pound of Income-tax was spoken of. He would point out a manifest evil which would in certain cases follow from the passing this measure. In the case of mineral property, under the operation of this Bill, a dreadful accident occurring in a colliery by which large numbers of persons were rendered destitute might throw very onerous burdens upon a parish which had never derived the slightest advantage from their labour. He feared that very few instances of liberality could be looked for similar to that which occurred in the county of Glamorgan, where a large landed proprietor, and the Gentleman having the largest interest in the works, both Members of that House, took upon themselves the support of all the persons injured by a tremendous explosion in their district. The direct rejection of this Bill might be too strong a measure; but unless he heard something to shake his opinion, he felt inclined to vote for the Amendment of his hon. Friend the Member for Northamptonshire.

Mr. JOHN TOLLEMACHE said, he believed the House would act in a much fairer and more straightforward manner if it at once either passed or threw out the Bill. He did not think they required any further information upon the subject. On the contrary, he believed that they were already inundated with information. He felt persuaded that the present Bill was a natural consequence of the passing of the Act of 1846. After the passing of that Act it was perfectly clear that they were moving in the direction of union rating and union chargeability. Under the law as it had since existed, vast numbers of paupers were removed from the townships to which they belonged to adjoining townships, for the purpose of being converted into paupers chargeable on the common fund. There could be no doubt that the present measure would relieve heavily burdened townships at the expense of townships more happily circumstanced. That change would be felt to a great extent in the southern division of Cheshire, which he represented; but so satisfied was he that the Bill was essentially a just one, and that all property in a union ought to contribute to the support of the poor, according to its rateable value, that he should feel it his duty to vote for the second reading in spite of the unpopularity which he knew, from the letters he received, that step would bring down upon him in South Cheshire on the approach of a general election.

Mr. SCULLY said, that this Bill so far affected Ireland that if it became law in England a similar measure would have to be brought forward next Session for Ireland. He agreed with the noble Lord the Member for Northamptonshire (Lord Henley) that the Bill, instead of leading to any want of vigilance on the part of the guardians, would have an opposite effect; and his experience in Ireland led him to believe that uniform rating would tend greatly to the reduction of rates over the whole union, or electoral division as it was in Ireland. With exceptions such as the hon. Member for Cheshire (Mr. Tollemache) who had last spoken, it seemed to him that Members representing large counties opposed, while those representing boroughs supported, the Bill. His constituents had left him perfectly free to act in the matter as he thought best, and though his personal interests were bound up with the rural districts, he did not think that such considerations as were represented by a few thousands a year ought to stand in the way of adopting a general principle highly advantageous to the public at large. Several hon. Members had advocated the postponement of the measure on account of their want of information; but it was just those hon. Gentlemen who appeared to possess the most intimate knowledge of the subject. He would support the Bill, because he maintained that a man when thrown out of employment ought to receive support from the district to the benefit of which he had contributed his life of toil. It would be difficult to prove the justice of the old plan as between parish and parish in England; but in the case of Irishmen who had been working in England all their lives the principle was still more harsh and unjustifiable.

Mr. PUGH said, he would add another county Member to those who supported this Bill. Since it was read the first time he had ascertained that it was cordially approved by the guardians of the union, whose meetings he was accustomed to attend when he was in the country. It was their opinion, in which he concurred, that much time was consumed and even ill-feeling engendered, by disputes between parishes as to the proper settlement of paupers. These disputes would be terminated by this Bill, to the great advantage of the Board, and to the still greater advantage of the poor themselves; for a strong inducement to their removal in certain cases would be taken away. He himself was one of those who thought that the area of chargeability might be enlarged still further than was contemplated by this measure, and that the change would be attended with great benefit to all classes, but more especially to the agricultural interest. That question, however, did not now arise; but he had much pleasure in supporting the Bill, not only on account of its own intrinsic merits, which were great, but because it was a step in the right direction. The measure would tend to remedy evils which were not the growth of yesterday, but of centuries gone by; it would promote good feeling between landlords and tenants, between masters and their workmen, and thus be generally conducive to the welfare of the poorer classes. He had no hesitation in saying that the union with which he was best acquainted would thank the right hon. Gentleman and the Government for the passing of this Bill. It was said by the first Napoleon, writing on the subject of the Poor Laws to the Minister of the Interior—

> "It is melancholy to see time passing away without being put to its full value. Surely in a matter of this kind we should endeavour to do something, that we may say that we have lived, that we have not lived in vain, that we may leave some impress of ourselves on the sands of time."

The words of the great were precepts for future ages. He admitted that in the administration of the Poor Laws this country was very far in advance of France—

> "Nos primus equis Oriens afflavit anhelis,
> Illic sera rubens accendit lumina Vesper:"—

yet those words might be applicable to ourselves. If they had had information on this subject enough and to spare—if it were clear that this measure was a good one and fraught with great advantages to the community at large—if they were all agreed as to the object that they had in view, why should they temporize or hesitate when public expediency, public policy, and the interests of the poorer classes themselves imperatively required them to proceed?

MR. FLOYER said, the hon. and learned Gentleman who had just spoken (Mr. Pugh) had not gone into any details as to the effect of the measure which would induce him to take the same view as the hon. and learned Gentleman did. The hon. and learned Member for Cork (Mr. Scully), following the right hon. Gentleman who introduced the Bill, said that the Bill would lead to more vigilance and less expenditure, and the right hon. Gentleman, in support of his view, referred to the example of the great metropolitan unions. That example rather alarmed him. He thought that if hon. Members would take the trouble to examine the Reports and Returns which were to be found in the library, they would see that the metropolitan unions held a position which was not only very alarming, but which was also entirely distinct from that occupied by the country unions. In the latter it would be found that of the relief given to the poor about three-fourths, or even a larger proportion, was distributed to the poor out of the workhouses. In the case of the metropolitan unions, however, it would be found that two-thirds, or nearly that amount, was administered in the shape of in-door relief. This was a practice which he hoped would not be extended to the country unions. No one could help noticing that in the course of the debate it had been remarked by many hon. Members that the poor exhibited the strongest disinclination to going into the workhouses. He believed that that feeling was not confined to the country poor, but that it prevailed equally among the poor of the metropolis; and, if that were so, it was easy to understand how much suffering, how many broken ties, had been caused by the fact that the great bulk of relief given in the metropolis was given in the workhouse. The right hon. Gentleman the President of the Poor Law Board, in introducing the Bill, had put the question very fairly as resting mainly upon its effect upon the poor. Of course the other question of how it would affect the ratepayers could not be left entirely out of sight, but it was known that there was a reciprocity of interest; that what affected the poor affected indirectly the ratepayers, and *vice versâ.* The right hon. Gentleman, in considering the question as it affected the poor, dwelt upon the great evils of removal upon the labouring classes. Upon that point he did not entirely disagree with the right hon. Gentleman, as in many cases removals were productive of much hardship. But that was not universally the case. In many instances removal was really an advantage to the poor. In the country there were what were called "good parishes," and if the right of removal was taken away the poor affected would consider that they had been deprived of an advantage, He would, however, concede that removal was generally an evil to the poor. But what was the case as to that question of removal? At the time of the passing of the original Poor Law Act, in 1834, the amount of expenditure for orders of removal and the carrying out of such orders was £250,000 a year. Now, by the last Returns laid upon the table, it appeared that the whole expenditure for removals over the whole kingdom was less than £20,000. And with what proportion of even that comparatively insignificant sum did this Bill propose to deal? Taking the number of orders of removal—the cost of which he had just mentioned—at about 6,000, the whole number of orders granted between parishes in union was only about 500. Therefore, this Bill would deal with only one-twelfth of that sum of £20,000. As regarded the interests of the poor, he could not admit that any great advantage would follow from altering the present law as it affected the question of settlement. The right hon. Gentleman, however, had told them that the present law operated prejudicially upon the labouring classes because it tended to prevent the free circulation of labour and to discourage the construction of cottages. Upon the question of cottage accommodation it was said that landlords would not build cottages because they feared that the occupants of cottages, if built, would become chargeable to the parish. But was that a fact? The right hon. Gentleman had spoken of residence as making a man chargeable upon the parish. Having had considerable experience in the administration of the Poor Law, he must say that he had never known that bare residence made a man chargeable upon a parish. Residence must be connected with property or renting; and as in the latter case the renting must refer to a house of at least £10 annual value, it was not often that a mere agricultural labourer obtained a settlement by that means. So, again, labourers did not usually possess sufficient property to give them a claim on settlement. How, then, would any labourers who might inhabit the new cottages which for argument's sake it might be assumed were built in a country place — how would such persons become chargeable upon the parish? It was well known to all cognizant with the subject that the ordinary cases of application for relief were sickness or old age and consequent inability to work. Suppose the case of a labourer who had come to reside in one of the cottages he had just supposed to have been built by, according to some notions, the foolish landlord — but as he would rather think by the wise landlord—suppose such a man became ill and applied for relief. If it were a case of mere temporary sickness, as in nineteen cases out of twenty it was, the relief according to recent legislation was charged upon the funds of the union, and thus there was no burden upon the parish. Again, in the case of old age—and of course it must be assumed that the proprietors of the cottages would not in the first instance select aged and infirm tenants; but if after a time a man occupying a cottage became disabled, and applied for relief, the charge would in that case also fall upon the union. Then he would ask what reason was there for landlords to abstain for building cottages? It could not be because the occupants of those cottages might become burdensome to the parish. Therefore, the notion of the law of settlement having any effect upon the building of cottages was nothing but a simple delusion—a remnant of old ideas, and not applicable to the present state of things. It was true that in former times, when it was competent to show that the person who claimed relief was settled elsewhere, there was a reason for not unnecessarily introducing labourers into a parish. But now the burden was the other way, and unless it could be shown that the applicant for relief actually belonged to the parish the charge of assisting him during a temporary sickness or in old age would, if he had not lived three years in the parish, devolve upon the union funds. The right hon. Gentleman also invited the House to agree to the second reading of the Bill on the ground that it would be carrying out the principle of the Poor Law Act of 1834, and completing the scheme then intended to be carried out, but which untoward circumstances had delayed. Let the House consider the wide difference between the circumstances of the year 1865 and those of the year 1834, when the original Poor Law Act was introduced. It would be no injustice to the authors of the law to say that their leading principle was that all relief should be given in the workhouse alone. But what was the case now? As he had stated, in the country unions, holding a distinct position from the metropolis, the great bulk of relief was given out of the workhouse. Another great principle of the founders of the Poor Law Act of 1834 was that a broad distinction should be drawn between the independent labourers and those in receipt of relief. But now a very large proportion of relief was given to men who were partially disabled, to persons who worked in summer but could not work in winter, to those who were able to work at one time but not at another. The consequence was, that while under the original system the management of the Poor Law could be safely intrusted, in a great measure at least, to the masters of workhouses and relieving-officers, there now existed the very strongest necessity for careful personal local supervision. Unless there was that local knowledge which a guardian, who was generally one of the principal persons in the parish, could bring to bear, it was impossible the Poor Law could work effectively; much less could it work charitably; and it was because of the absence of a guardian who knew the poor, and who was conversant with their wants and circumstances, that there was a deficiency in one of the great means by which it could be ascertained when relief ought to be given, and when it ought to be withheld. That was the circumstance, then, to which he attributed the great distinction which prevailed between the working of the Poor Law in the country and in the metropolis. It was impossible for the guardians in the metropolis to know the circumstances of the poor who applied to them for relief, and the result was that they were obliged to have recourse to harsh and, in many instances, he was afraid, severe tests, in order to learn whether want really existed. Now, the tendency of the present Bill would, he thought, be to diminish that personal local supervision which the country had hitherto enjoyed. A guardian up to now had a particular interest in looking after his own poor; nor did he deny that he had an interest also in looking after the rates in his own parish—he was bound to do so in the interest of the ratepayers as well as in that of the poor. But if that inducement for his presence were taken away, he doubted whether Boards of Guardians would for the future be found to be composed of the best men. Should that turn out to be the consequence of the proposed alteration, it would, in his opinion, very seriously impair the good working of the law as it at present existed. He had, he might add, heard a great deal said of what had been done for the benefit of the poor; but he was not aware that any hon. Gentleman had dealt with the particular question—what the poor thought on the matter themselves. It would not, indeed, be becoming in him to stand up in that House and profess any special knowledge of the feelings of the poor, but he could say—and in that statement he felt satisfied he would be borne out by those who attended the Boards of Guardians—that among those who applied to those Boards for relief, the first object was in many instances to know to what parish they belonged. There was in the case of several poor people a strong feeling upon that point, nor was he prepared to contend that in that respect they were wrong. If a poor man's parish were taken away from him, what did he get in return? The right to obtain relief from the union. But the union was the creation of the Legislature. "A breath hath made it and a breath might take it away." The only symbol of the union to the poor man was the workhouse. He deemed it something better to be able to look to his parish. There, at all events, the parish church stood as a sign of better things, with all its associations. If he were removed to his parish, he would be sent in all probability to that which was the place of his birth—his home—the place where those who were best acquainted with him resided; and some reason was thus, he thought, furnished why the House should pause before accepting the invitation of the right hon. Gentleman opposite. Besides, he concurred with many hon. Gentlemen in thinking that the information possessed on the subject was in several respects insufficient; and, indeed, the right hon. Gentleman himself had betrayed his sense of that fact, because, while referring back to authorities of some twelve or fourteen years ago, which related only to the disadvantages and evils of the Poor Law, he had spoken in an earlier part of his speech of recent legislative alterations, which had, he said, been attended with success. But if those alterations had been successful, why, he should like to know, was the House now invited to change them? Was it not desirable that some further delay should take place before such a step was adopted? For his own part, believing that it had been shown that the poor had no great interest in the contemplated alterations, that they would be attended with no great benefit to them, and that the House was not entitled to make a great shifting of the burdens of taxation for the relief of the poor—under such circumstances he should have much pleasure in voting in favour of the Amendment.

MR. THOMPSON said, he was an advocate of the principle of union rating; but if this Bill were passed in its present shape it would occasion a large transfer of property; and before they proceeded further with it the House should be in possession of information showing the nature and extent of such transfer. In most changes of the law, the effect of the change has to be guessed at, but in this case Returns might easily have been prepared by the clerks to the Boards of Guardians, shewing the exact amount of the burden which would be taken off one parish and laid upon others. As the Government had not laid such information before them, Members had been obliged to procure for themselves such information as they could. He had Returns before him from two unions in his own neighbourhood. The first was called the Great Oaseburn Union, in which there were forty-two townships. If this Bill were carried into effect, one of the parishes in this union would suffer an increase in the rating of 114 per cent, another of 145 per cent, a third of 160 per cent, and a fourth of 166 per cent. On the other hand, in one parish there would be a diminution of the rating to the extent of 1*s.* 1¾*d.* in the pound, being a reduction of three-fifths of its present amount. This might not appear to involve a very important alteration; but, as the poor rate was now levied upon the actual value of property, 1*d.* in the pound of poor rate was upon real property, the same thing as 1*d.* in the pound of income tax. In the Knaresborough Union very much the same consequences would result from the adoption of this measure. In many cases there would be an increase of 6*d.*, and in one a decrease of 7¾*d.* in the pound. Now suppose the Chancellor of the Exchequer in his forthcoming budget were to propose to take off the whole of the 6*d.* income tax, that measure would be hailed with surprise and satisfaction. On the other hand, if the right hon. Gentleman proposed to add 6*d.* to the income tax in the time of peace and with an overflowing exchequer, his announcement would occasion a sensation of a very different character. But if the right hon. Gentleman were to propose to take sixpence in the pound off one man's property without receiving any consideration for so great a boon, and to add this sixpence to another property, the owners of which had done nothing to justify this increased burden, he (Mr. Thompson) would ask what chance such a measure would have of passing through its very first stage? Yet this Bill would do even more than this, relieving property in one parish he had quoted to the extent of 13¾*d.* in the pound at the expense of the neighbouring parishes. The great change in the incidence of the poor rate which would be occasioned by this Bill would take place in the towns. The agricultural districts would not be greatly affected except that they would all have to share the burden thrown upon them by the reductions in the towns. It was well known that towns were rated higher than the country, which arose from the magnitude and variety of business carried on in the former, from the small shop-keeper to the large manufacturer who employed hundreds of hands. These hands when disabled by age or infirmity, were thrown on the rates, whilst the profits of the business which brought them together were not rateable, and, therefore, contributed nothing towards their support. If, then, this surplus taxation were to be transferred from the towns to the property in the country, he thought it would be better to go back at once to the ancient principle of every one contributing according to his ability, being that which was the foundation of the original Poor Law. Such a principle would be far more just and more statesmanlike than that recognized by the present Bill—namely, the principle of transferring the burden of the poor rates from the owners of real property in towns to the owners of real property in the country. Although more heavily taxed the value of real estate increased more rapidly in towns than it did in the country, and, therefore, being of a more elastic character, it was better able to bear the burden of supporting its own poor. And further, in the purchase of town property the large amount of the poor rates had been taken into consideration, so that the purchaser was not entitled to complain of them as though they were lately imposed. It was important in determining whether the Bill should be postponed or not until next Session to see what the effect of such postponement would be. One of the principal objects of the Bill was to relieve the poor man from the annoyances to which he was subjected by removal and the parishes from the expense incurred by them in litigation resulting from such removals, and recollecting that recent legislation had greatly diminished the number of such removals, and that this

Bill did not affect the removal of paupers from one union to another, he believed that the poor man would suffer little or no injury by the postponement of the present Bill to another Session. If the right hon. Gentleman were to introduce a Bill that would limit the term of residence that should render the poor irremovable, to, say twelve months, he (Mr. Thompson) would give it his cordial support; but it was so undesirable to be always legislating upon this subject, that he trusted the right hon. Gentleman would, in case of the Amendment being carried, withdraw his Bill for this Session. If the House were then furnished with Returns showing the effect of the late Act which shortened the term of industrial residence and also showing the exact nature of the changes which would be made throughout the country by the operation of the Bill, as well as those Returns of a very interesting nature to which the right hon. Gentleman had alluded, but of which the House was not yet in possession, hon. Members would be able, between this and next Session, to obtain such information upon the question as would enable them to approach it in the ensuing Parliament with a thorough knowledge of all its details. Among other matters which would require attention was the rectification of the union boundaries. The present unions were not constructed with the view of forming areas for raising large taxation, and before bringing in a Bill of this kind they should be reconsidered and rectified. Some of them had been originally Gilbert unions, and were both inconvenient and ill-shaped. The union in which he resided was shaped as much like a star-fish as anything else he could think of. A great deal had been said about close parishes, and they had frequently been made the subject of sensation speeches, but very few had ever seen them, if the description given of them in this debate was a true one—namely, that they drove the labourers miles from their work, and compelled them to herd together in the suburbs of towns, to the great injury both of their health and morals. All he could say was, that in the northern counties, with which he was connected, there was great difficulty in getting labourers, and so far from driving them away they wished to encourage them. He knew instances where labourers had declined good comfortable cottages close to their labour, because they preferred living in the village in order that they might have the advantage of the shops and the help one neighbour gives to another. As chairman of the North Eastern Railway, he had had a Return made of all the cottages occupied by the labourers of the company in Northumberland, Durham, and Yorkshire, in order to ascertain the real state they were in, together with the number of rooms in each House, and the number of lodgers, if any, in each house. The company owned from 1,100 to 1,200 cottages, almost all of which had two or three good sleeping-rooms; and much to his annoyance he found that in some cases the father, mother, and two or three children slept in the sitting-room down stairs from choice rather than occupy the comfortable bedrooms upstairs; and so far from these houses being crowded, very few of them had lodgers. Therefore, it seemed to him, the allegation that labourers were driven to herd together in towns at a distance from their work was unsupported by facts, although exceptional cases of the kind might occur. Would not the stream of labourers leaving the towns in the morning and returning to them in the evening attract attention, if the statement were true that while they worked in the country they lived in the towns? But who ever saw such a thing, except in the case of a few Irish labourers engaged in harvesting or in hop picking? In conclusion he again expressed a hope that the right hon. Gentleman (Mr. Villiers) would withdraw for this Session the measure he had introduced and would give them the Returns he had asked for.

Mr. BERNARD said, having had occasion to address the House in the early part of the last Session on moving for leave to bring in a Bill of a similar purport to that now before them, and having been induced to withdraw that Bill on the assurance of the right hon. Gentleman the President of the Poor Law Board that the subject would shortly be brought under the consideration of the Government, he wished to express how much he was gratified at the prompt manner in which this assurance had been carried out, and how ardently he hoped that the Bill now before them would pass successfully through the different stages of Parliamentary inquiry. After the able and clear exposition of the evils attending on parochial rating given by the right hon. President it would be presumptuous of him to occupy much of the time of the House by making any statement of his own. As he stated last year, twenty years ago he filled the office of Chairman of the Board of Guardians of the Aylesbury Union, of forty parishes, which were entirely agricultural, and during the time he held that office he had the means of ascertaining and convincing himself of the very many evils which attended the existing system of parochial rating. Some of those evils had been since removed, but the most mischievous of them still remained, which was the main cause of the depopulation of many agricultural villages, and greatly aggravated the hardships endured by the agricultural labourer. Out of the forty-two parishes comprised in the Aylesbury Union he selected four of the exclusive kind, containing in the aggregate nearly 5,000 of the best acres in the county. These parishes in 1851 contained a population of 163, but in 1861 it had decreased to 126, being at the rate of about 25 per cent in ten years; but the aggregate population of the union had in that period increased 2 per cent; so the decrease was not owing to any emigration from the district. Now the only way to cure the evil was the adoption of union chargeability. Now practical farmers had assured him that to cultivate good land properly it required three able-bodied men to every 100 acres, and one able-bodied man in a population of five had always been considered a good average. It would, therefore, require nearly 150 men to cultivate the lands of those four parishes; but the whole population being only 126, they could only furnish twenty-five, and above 100 must be sought for in other parishes. The cause of that state of things was notoriously the desire of parishes to shift the burden of supporting the sick and infirm from their own shoulders. But the effect was to produce both physical and moral degradation among the labouring classes. There were some gentlemen who supposed that union rating must be attended with a diminution of the value of the land in exclusive parishes; but, from having paid great attention to the subject, he was fully convinced that such would not be the case. They all knew that the great burden of the rates was produced by the necessity of supporting the sick and infirm, and any system that was calculated to diminish the number of that unhappy class of persons must in proportion diminish the amount of rate to be raised. On this point he would read an extract of a letter from Mr. Ceely, a medical gentleman of great eminence residing in the town of Aylesbury—

> "In the course of more than forty years' professional observation I have very often had to deplore the effects of the additional toil imposed upon agricultural labourers who have to travel two, three, and four miles night and morning to and from the seat of their employment. I have witnessed many cases of severe and protracted illness, premature infirmity, and even death induced by this cause. There can be no doubt but that a labourer's services are more valuable and his health better preserved when he resides within the precincts of his labour. I should advocate union rating on this very ground."

He had been in communication with many farmers occupying lands in those exclusive parishes, and they all deplored the inconvenience that they were subjected to from their labourers living in distant parishes. The habit of early marriages was so prevalent with the poor that it was almost impossible for them to have any but boys and very young lads residing in their houses to act as labourers, and very few of these were to be trusted in looking after cattle and the other necessary duties of a farm. It was notorious that the cultivation of land in those parishes was far inferior to that of other parishes, especially in draining and fencing. But a right hon. Gentleman gave it as his opinion, when the Bill was first presented to the House, that it would cause an increased demolition of cottages. On what grounds the right hon. Gentleman had founded his opinion he was at a loss to conceive. From his own observation, and the opinions of all the practical men to whom he had spoken, he had arrived at a directly opposite conclusion, and he had presented a petition from Aylesbury, signed by every member of the Board of Guardians assembled on a particular day, in favour of the Bill. He had been assured by many farmers that if some general measure of union rating became law they would willingly assist their landlords in building cottages by digging stone and carting materials, whereby half the cost might be diminished. Those farmers were of opinion that any slight increase of their rates would be amply compensated for by the advantages attendant on this measure. One of the evils that had grown out of the present system was the existence of a class of low speculative builders, who boasted that in building tenements for the poor, they could in ten or twelve years reimburse themselves both the principal and interest of their outlay. This could only be done by screwing enormous rents out of the labouring poor, who with diminished wages, arising from their inability of giving a full day's labour to their employers, were obliged to submit to the extortion. He must remind those hon. Gentlemen who desired a great extension of the elective franchise that the bettering the condition of the labouring classes was essential to the success of their measure, for it would be unsafe to intrust men with the elective franchise who were treated as outcasts to be driven from the parishes where their families had resided at the first convenient opportunity. It was a very agreeable thing for a gentleman to have on his property a pretty and pleasant village in which there were no poor people—it was a sentimental thing to take ladies to view such a charming sight; but we must not forget the 15,000 parishes of England, in so many of which there was no resident proprietor. He hoped this Bill would become law, for he was convinced that it was one which must tend to better the condition of the labourer.

SIR JOHN TROLLOPE said, he was glad one hon. Member of the House had been found beside the right hon. Gentleman himself, who was entirely in favour of the Bill, for the hon. Gentleman who had just sat down was the only speaker in the debates who had not made objections to the proposal of his right hon. Friend the President of the Poor Law Board. It was of much service that great social questions, like the present, should be discussed in the tone and temper which had been shown on the present occasion. He regretted he could not agree to the Bill which had been laid on the table. There were two aspects in which the measure had to be viewed—first, whether it would be to the financial advantage of the ratepayers of the country, and next, what was of paramount importance—whether it would be for the benefit of the poor. A good deal had been said about the residences and habits of the agricultural poor, and the question whether the poor were decently located, had been frequently discussed in that House. The right hon. Gentleman took power in the Bill—a proposal in which he (Sir John Trollope) agreed—to prevent the removal of the poor from one parish to another in the same union. But in all well-managed unions this had been hitherto practically the case. In the union in which he (Sir John Trollope) lived he could not call to mind a single removal under the order of the justices—and for this reason, that if poor became chargeable to a union a communication was made to the officials of the union to which he legally belonged, and the latter accepted such if there was a valid reason for the removal. With regard to the law of settlement it would be better, instead of this sweeping measure, if the right hon. Gentleman would take power to abolish the law of settlement and the power of removal altogether, and let the poor man and his family be chargeable wherever he was found in a state of destitution. If that were done a most painful process would at once be got rid of. But this Bill would disturb the relations of property, and introduce contentions between town and country. The hon. Member for Boston (Mr. Staniland) had presented a petition in favour of this measure from his constituents. But why was that? Simply because it would give them a boon of £2,000 in remission of poor rate. But he himself (Sir John Trollope) had presented petitions from the rural parishes of the Boston Union in entirely the opposite sense, simply on the ground that that £2,000 would be cast upon them. They took an entirely financial ground, and discussed the question, not as it affected the poor, but as it affected themselves. If this measure were passed into law, the President of the Poor Law Board would have to undertake what had just been hinted at by the Member for Whitby (Mr. Thompson), a revision of the whole boundaries of Poor Law Unions, which, like parochial boundaries, might be said to be altogether arbitrary. That was another reason why this Bill should be deferred for another year. The question opened out such a vista of difficulties that it really would be advisable for the Government to withdraw the measure, and allow it to be discussed in another Session. It was often said that a great reason for extending rating to unions was that better residences for the poor would then be provided. The hon. Member who spoke last said that gentlemen often built fancy cottages, and pretty dairies, which they took the ladies who visited them round to see; but for many years it had been the practice on all well-managed estates to build good substantial cottages. The late Dukes of Bedford and Northumberland had built cottages—not show places, but good substantial residences for their labourers—not by dozens or scores, but by hundreds; and their example had been largely followed. But unfortunately, many properties were held by people who were not in a condition to do this—some were in the hands of minors, some of trustees, and some were in Chancery, where cottages were more likely to be pulled down than built. An hon. and learned Friend on his right (Mr. Malins) seemed to dissent from that, but he was afraid it was only too capable of proof. The right hon. Gentleman had told them that a Report would soon be before them as to the miserable condition of the cottages of the agricultural population, which would perfectly appal them. In his experience, he certainly had never heard a Minister of State, in the right hon. Gentleman's position, quote a Report which had never been published. The right hon. Gentleman said it was on the table. Well, he could not see it, nor did he think any one was in a condition to have read it, not having been printed or distributed to Members. But had a similar inquiry been instituted as to the condition of the dwellings of artificers and labouring men in large towns? However limited might be the accommodation of the cottages of the agricultural poor, they were far exceeded in squalor, dirt, and misery, by the dwellings of the poor in the great cities, where storey upon storey, whole families lived, slept, and cooked in the same room. He ventured to say that such were the habits of cleanliness and decency among the agricultural poor that nobody need fear entering their dwellings from a dread of filth or contamination. Speaking for himself, he had never pulled down a ruinous cottage without building two in its stead, and he believed that was the practice largely. He had everywhere seen springing up new cottages, not such as were run up of flimsy materials, by speculators, and let at a high rent, but built by landowners who deemed it their duty to see their labourers properly housed. This could not be done by legislation, it must be left to the right feeling of those who were connected with these classes. The hon. Member for Boston (Mr. Staniland) was for going into the first principles of rating; and no doubt wealth flowed now in very many more and different channels than in the reign of Elizabeth. There were not then the mining interests which were exempt from poor rates; there was not that great bulk of personal property which was now exempt; nor was there the commercial and manufacturing wealth of which England was so proud. That was not taxed for the relief of the poor, but only the warehouse in which it was stored. The moment the manufacture became unprofitable the key was turned in the door, and the landowners were taxed to support the poor who were thus turned from work. The hon. Member for Worcestershire (Mr. Knight) would include them all in his net, and would place a large proportion of the charge for the poor on the Consolidated Fund. He (Sir John Trollope) would object, however, quite as much as the Chancellor of the Exchequer to this, because then all control over the expenditure would be lost. As to the question whether this Bill ought to be taken without further inquiry, he had not only presented petitions, but he had received many more letters from persons asking to have the Bill adjourned, that they might consider it, and make up their minds whether they should petition or not. Then there was the grave question to be considered, if the right hon. Gentleman threw the rate upon whole unions, where would he stop? The right hon. Gentleman told them of the effect which this Bill would have on the City of London—on the ninety parishes of the City, where all the warehouses and palaces were, and where nobody dwelt—why should he not include the whole metropolis? No doubt many of the poor parishes would not be at all sorry to be thus joined on to the rich. To throw the burden on the Consolidated Fund would take the control of the relief of the poor out of the hands of those who administer it gratuitously, and place it in the hands of paid officials, and open the way to all kinds of jobbery. But if the question was to be enlarged as regarded country unions, why not apply the principle on a larger scale? Then it would not become a question of a double or treble income tax; but perhaps, after all, it would approach far nearer to a measure of justice than the Bill of the right hon. Gentleman.

Mr. NEATE said, there were numerous cases in which injustice was wrought which the present Bill would cure without introducing any injustice to other classes. One point where the injustice existed was when those who had given their labour to fertilize the land in one parish were sent to encumber the rates of others; and if there was a transfer of liability effected by this Bill it was a just transfer, which gave to those who suffered from it no right for a moment to stop the progress of this measure, for the law of this country did not sanction the existence of a right which grew out of a wrong. There was a precedent for this Bill in the legislation of 1846, when a great transfer of burdens took place. That transfer, as effected by the 9 & 10 *Vict.*, was for the benefit of the country at the expense of the town. It increased very largely the burdens of the manufacturing towns; but nothing was heard then about the injustice of this transfer of burdens. On the contrary, Sir George Lewis admitted that it was a transfer, and no objection was taken to it on that ground; and the same view was adopted, and its justice shown by Mr. Pashley in his book on the Poor Law. In the present case it was not right that the burden of supporting the poor should be thrown upon parishes where they did not work, but happened to reside. No doubt, some injustice would arise if an agricultural parish were tacked on to a town parish. But this difficulty—which might probably be got over—should not deter the House from adopting a reform in the interest of the labourers—in all legislation of this kind there would be cases of individual hardship, but there would be great benefit to the whole class. It was probable that the measure might lead for a time to a considerable increase of paupers. No doubt, the parochial system put a pressure upon owners of property to give employment to labourers in order to avoid the necessity of supporting them out of the rates. He thought, however, that a measure which was clearly for the benefit of the most industrious and competent labourers must be for the benefit of the whole class, and for those and other reasons he should give the second reading of the Bill his most hearty concurrence.

MR. ADDERLEY: I hold in my hand a letter that in itself gives sufficient ground for the postponement of this Bill. I do not in any way ask for further information, but on the information we have, there is a necessity for certain preliminary steps before the Bill is allowed to pass. I do not oppose the Bill on the ground that has been alleged—of injustice to certain parishes. I believe there is a certain amount of injustice of a temporary and partial character, but I believe that no great measure of this kind can be passed without temporary and partial injustice. Acknowledging that injustice fully, I weigh against it the great benefit to the poor and the public, which I conceive to be contained in the measure. But in order to bring in a Bill of this kind, which, after all, does not press for immediate passing, there is no need to create more injustice than must necessarily attach to it. I have here a letter from the guardians of three rural parishes seven miles from Birmingham, united with Aston, which is half Birmingham, in one union. The result of the Bill in this case would be, without some preliminary arrangement, that the town would swamp the rural parishes, and there would be an equalization of the rate on a most unequal area. There would in this case not only be the injustice of the town burdens being spread over the union, but also the injustice of the exemption for stock-in-trade lightening the common burden in the quarter to which it specially belonged, but there would also be the further advantage to the town of the exemption from rating of iron mines. This is no solitary case, but there are many where a preliminary adjustment of the boundaries of unions should take place before the Bill could pass. There is another question—whether we should not, before so legislating, consider the exemptions themselves, and whether they cannot be amended or abolished. I see another disadvantage in the Bill as it is proposed to be applied to unions of town and country parishes. The extension of the area of rating will lead the guardians of individual parishes to be negligent, and leave the matter in the hands of the most active representatives of the union, and the guardians of the towns, in the cases I have referred to, will probably have almost the whole management of the unions in their hands, and will use it to the advantage of the town parishes. On these grounds I feel, allowing the advantages of the Bill, I may fairly vote with those who seek its postponement. I do not deny that the present law frequently drives the poor of the agricultural districts to live in the towns at a distance from their work, and quite as much drives the workers in the towns to reside in the rural districts. I know such is the case in Staffordshire and Warwickshire; in these cases the Bill would be an advantage, and would give the labourer greater freedom to reside near his work, or where he pleased. I only ask a postponement of the Bill, not opposing it; and without agreeing with the views of the Mover of the Amendment for the reasons I have stated, I feel the Bill ought not to pass until the boundaries of unions, and special exemptions, have been properly adjusted.

Mr. WARNER said, he was glad to hear the right hon. Gentleman opposite (Sir John Trollope), the ex-President of the Poor Law Board, express himself so strongly in favour of the abolition of the Law of Settlement, and he entirely agreed with that right hon. Gentleman; but he could not understand how the hon. Baronet justified his own proposition that the Bill would unsettle the rights of property. It seemed now to be well understood, after the discussion which had taken place, that the reason of the opposition to the Bill was not the want of information, but the desire to maintain the parochial system in the relief of the poor. Now, he believed that it had been proved by overwhelming evidence that the parochial system was inadequate for the relief of the poor with justice to the ratepayer, and that some change was necessary. The hon. Member for Dorsetshire (Mr. Floyer) had with remarkable candour admitted that his opposition to the Bill was founded upon prejudice; and he told the House that while he was not prepared to speak positively of the feelings of the poor on this subject, he believed the poor man would prefer the security of the smaller and poorer area to that of the larger and wealthier, for the reason that the parish church was a more agreeable object to the eye than the union workhouse. There were in truth only two possible grounds on which the present parochial system could be defended—namely, the sentimental one taken up by the hon. Member for Dorsetshire, and the other was that of vested rights. But there was no foundation for the doctrine of vested rights as applied to the case of one parish being more lightly rated than another. Parliament had never recognized any such rights, and had never scrupled to interfere with peculiarities of that kind. The Act of 1846 was a great interference, by which a tax of £5,000 a year was laid upon Norwich, the city he represented. On another occasion Norwich, which was a union of itself, came before Parliament for an alteration of its Act; and when it was found that one part of the city had been exempted from poor rates, Parliament did not scruple to alter that arrangement. It was not considered a vested right. Parliament had never refused to set aside these so-called vested rights when called on to do so by the general interests of the country. The parochial system had always been oppressive to the poor man; it had been proved over and over again to obstruct his freedom in going about to get work; and it had prevented proper cottage accommodation being provided. It was equally burdensome to the ratepayers, taxing one district higher than another, and being full of anomalies. This Bill was a step in the right direction, well following up the important measure of two or three years ago, and he hoped that Parliament would pass it, and at the same time express an opinion in favour of a more extensive change, he would not say to the extent of national rating, but to county rating, which was not too large.

Sir WILLIAM MILES rose to ask the right hon. Gentleman the President of the Poor Law Board, if, after the debate they had heard, he intended to press the Bill to a second reading? He would also ask the right hon. Gentleman, was he (Mr. C. P. Villiers) not originally, before the New Poor Law passed, one of the Commission of Inquiry? And had he not on every occasion since he had been in Parliament done everything he could to promote the principles of that Poor Law? And was not that Poor Law passed by a species of compromise? Did the House carry out all that the Commission of Inquiry recommended? He (Sir William Miles) believed that the Commissioners were one and all for a system of union rating; but how long a time elapsed after the passing of that Poor Law Act before they had the first Irremovability Bill? How long a time elapsed before any progress was made towards union rating? The right hon. Gentleman had given one instance, in which he said union rating had been carried out successfully; and that no doubt was true, but there were special reasons for that success. But what he and the country wanted to know was whether the House was to be called upon to affirm the principle of this Bill which totally altered every incidence of rating, which put on country parishes the burden of the towns, and that too upon the imperfect information they had before them? He had called on the right hon. Gentleman for certain information, and had proved to him how easily it could be obtained; but not a single atom, except to prove his own case, of that information, had the right hon. Gentleman laid on the table. It might be said that it should have been moved for; but they were convinced they should get what they required in ample time, and no doubt would have done so had not the second reading been pressed with indecent haste; and, under these circumstances, if hon. Members did their duty to their constituents the Government would never dare to press such a measure as that they had now produced. The right hon. Member for North Staffordshire (Mr. Adderley) had given a startling instance in the case of Birmingham, in which injustice was done to rural parishes by having thrown upon them a mass of town pauperism; and he (Sir William Miles) could furnish similar cases in Somersetshire and Gloucestershire. He had always been a supporter of the present Poor Law, and he believed that when it passed in 1834 it almost saved the country from a servile rebellion. But there were many difficulties in the way of its being made a perfect measure; there were corporations for the relief of the poor; there were Gilbert Unions, in different parts of the country; and there was the greatest difficulty in arranging the parishes in proper groups for unions. It happened that the Poor Law Inspector sent down into Gloucestershire and Somersetshire to arrange the unions consulted him (Sir William Miles) as to what should be done with the parishes contiguous to the city of Bristol. The city, incorporated in the time of Charles II. for the relief of the Poor, now contained about 65,000 inhabitants, whereas the borough of Bristol contained 165,000; so that this small incorporation had pushed out all its paupers into parishes outside its boundaries. As Parliament had not done away with these incorporations, it was necessary to decide where the parishes contiguous to the Bristol corporation should be placed, and they were placed with the different agricultural parishes adjoining in Somersetshire and Gloucestershire. There was one parish on the Somersetshire side which, with a population of 21,000, was attached to 27 agricultural parishes, this parish of Bedminster paid at present one-half of the Poor Law charges; but under the present Bill it would pay only one-third, and the difference would fall upon the agricultural parishes. On the Gloucestershire side there was the Clifton Union, with 93,000 inhabitants, including a number of suburban parishes. By some Returns which he had obtained he found that, by the present Bill, the payment of half the pauperized district of St. Phillip's would be thrown upon the rural parishes. Was that fair? He would ask the right hon. President of the Poor Law Board if he had lately looked at the Resolution passed unanimously in the Committee of 1847, of which they both (Sir William Miles and Mr. Villiers) were Members, presided over by the lamented Charles Buller, then first Commissioner of the Poor Law Board? The Committee went very fully into the evidence as to removals and settlement; and with regard to those rural parishes which were combined in so extraordinary a manner with the urban parishes, their unanimous conclusion was as follows:—

> "That with a view to render the working of union rating more just and equal, it would be desirable to facilitate in certain cases the alteration of the limits of existing unions in England and Wales."

He must repeat his wish that the right hon. Gentleman, in bringing forward the present measure, had given them the information they required, and at the same time had been prepared to make the alterations necessary before such a measure as that now under discussion could hope for success. He was about to abolish the Gilbert Unions, but he feared to touch the incorporations for relief of the poor, because that would bring him in contact with the metropolis. Why not proceed on a sound and fair basis, doing away with the Gilbert Unions and the incorporations for the relief of the poor, and, having reconstituted the unions as they should be, then go on to the consideration of union settlement? This was neither a rich man's question, nor an urban, nor a rural question; but the great point was—what was best for the interest of the poor man? He agreed with the hon. Member for Lincolnshire (Mr. Banks Stanhope) that if they wanted to benefit the poor man they should do away with settlement and removal, and nothing would give him more real satisfaction than to see them relieved from the dependent misery which sprung from these laws.

MR. WALTER said, he did not intend to occupy much of the attention of the House, but he wished to vindicate his right hon. Friend the President of the Poor Law Board from the charge of indecency which had been brought against him by an hon. Gentleman opposite with regard to the hasty manner in which the second reading of that Bill was being proceeded with. If there was any subject which could be said more than another to have been before the country long enough to be thoroughly understood by all who were interested in it, it was this very question of union rating. He believed there was not a farmer in the country—certainly not in the county which he had the honour to represent—who had not already formed his opinions on the subject; and he was bound to say, to the credit of his own constituents, that it was not on the part of the farmers that he had generally found any objections raised to the measure. He must also notice an observation made by his right hon. Friend the Member for Lincolnshire (Sir John Trollope) who had expressed some surprise that so few speeches had been delivered in favour of that Bill. Surely it was very natural that this should be the case, because the Bill was one of so simple and so logical a nature in itself that he thought the *onus probandi* certainly lay upon those who objected to it. The measure was founded on very simple, very logical, and, he might almost say, unanswerable premisses. Its principle was, that the area of rating should coincide with the area of management. He supposed there was not a Member of that House who would dispute the converse of that proposition—namely, that the area of management should coincide with the area of rating. He would suppose that a certain area of rating was laid down, whether in the case of a county or any other territorial division. Surely no one would contend that the area of management ought to be of a different character, be it larger or smaller, than that of the area of rating; and, therefore, he thought that the *onus probandi* rested upon those who held that the area of rating should not be coincident with the area of management. He had always been in the habit of looking with some jealousy on the proceedings of Boards of Guardians. He seldom went near them, and he did not like them; and that on account of this very defect in the existing law, which the Bill proposed to remove, because they had the management of an area to which they did not in their capacity as managers contribute in an equal proportion. It appeared to him that a Board of Guardians was the nearest possible approach which the laws of this country permitted to the principle of Federal union adopted in the United States. It was a sort of mixed system which was never found in the long run to answer. A Board of Guardians met to administer two distinct descriptions of funds; the one the common fund, to which they all contributed in common; the other a separate set of funds, contributed by the different parishes. In fact, it was very much like a pic-nic, in which everybody put his finger in his neighbour's pie, whether the one which he brought himself was a good or a bad one. He remembered on one occasion being anxious as a magistrate to obtain a small modicum of relief for a poor old woman in his own parish, but the whole *posse* of guardians came down and denied her that relief; and he was obliged to use his authority as a magistrate, in conjunction with one of his Colleagues, in order to obtain it for her. That was the way in which he had observed Boards of Guardians act; and he was, therefore, anxious, if they were to have the union system, that the area of rating should be made to coincide with the area of management. He believed that all the objections which had been taken to that Bill resolved themselves into two classes, the one consisting of objections which concerned the ratepayers, and the other of objections which concerned the poor. As regarded the ratepayers the only objection worthy of notice was that which related to the redistribution of taxation. It was impossible to deny that in any case where taxation was to be redistributed some instances of hardship and apparent injustice must occur. But any hardship which might be occasioned under the present Bill was as nothing compared with what must happen in any national financial change whatever. There had been a vast redistribution of taxation of late years, and many persons had been compelled to contribute in a much larger proportion than before. What, then, was this trifle of £2,500,000 compared with the vast sums involved in the changes which had been made in the proportion between our direct and indirect taxation? But, as his hon. Friend the Member for Somersetshire (Sir William Miles) had said just now, this was not so much an urban or rural question as a poor man's question. And now just one word upon the bearing which it had on the interest, not of the ratepayer, but of the poor man. The whole question of the area of rating was intimately mixed up with the question of settlement. His hon. Friend was for abolishing settlement altogether. He (Mr. Walter) did not believe either in the possibility or expediency of such a plan. He did not believe that settlement could be abolished without having recourse to the most desperate of all remedies—a national rate. For what was the whole theory of settlement founded upon? Was it not that a man's title to relief within a particular area should depend upon the locality in which he worked? Was not that the foundation of the whole? Why, then, should a settlement be unional rather than parochial? For this reason—that parishes, being so unequal in size and so different in circumstances, did not afford the poor man that protection which he ought to have unless his right to relief was to depend upon his place of work, and not his residence. Hon. Gentlemen all knew that the present law must operate as a premium for driving people from their place of work and compelling them to reside in distant parishes. That was the natural operation of the law. He did not think it was greatly abused at the present day. He could himself bear witness to the great growth of cottages in many places, and he believed that country gentlemen were becoming much more strongly alive than they had been before to the importance, not only to the poor man, but to themselves, of having good cottages upon their estates, and having their labourers as close at hand as possible. But there was no doubt that the natural tendency of the law, as it at present stood, was to offer a premium for obtaining work, not from one's own, but from some other parish in which the poor man might reside, and that was a great argument for an alteration of the law. The hon. Gentleman the Member for Dorsetshire (Mr. Floyer) had stated that since the Act of 1861 there was no longer the same inducement to landlords to pull down cottages which there had been before, because the mere fact of a poor man's residing in a cottage did not enable him to acquire a settlement. But the hon. Gentleman forgot to mention that, though the labouring man who lived in a cottage of less than £10 could not himself acquire a settlement, any children born to him might; and, therefore, the same motive existed for preventing him from obtaining a residence in the parish as before. As the House was anxious to come to a division he would not detain them by any further remarks. He would merely say that he should certainly give his hearty support to the second reading of the Bill.

Mr. SCLATER-BOOTH said, he was quite ready to admit the great advantages which would result in an administrative point of view from the adoption of a larger area of rating than the present one. It would be a step in the direction of centralization, and, as the Poor Law system was founded upon that principle, great advantages from simplicity and facility of management would obviously be the result. But such advantages might be too dearly purchased, and as they were not at all aware of the price which they would have to pay, he should on that ground alone support the Amendment of the hon. Member for Northamptonshire. He would indeed go a step further, and say that he should vote for the Amendment not only on account of insufficient information, but because the attention of the country had not been called to the magnitude of the change proposed. It had been truly said that the country was well informed on the subject of union rating; but they were not well informed concerning the particular subject before the House, and there were two reasons for the general ignorance and apathy which prevailed on the subject; the one was the title which the right hon. Gentleman had given to the Bill, and the other the nature of the speech by which it had been introduced. If it had been called a Bill for the abolition of the parochial system and for the substitution of union rating, the country would have been greatly alarmed; but when the right hon. Gentleman called it the Union Chargeability Bill, the nature of the proposed enactment was not understood. Upon the introduction of the measure the right hon. Gentleman entered into a long statement of the evils of the law of removal and settlement. But this Bill would do nothing to relieve the poor man from those evils. It was perfectly true that removal from one parish to another within the same union was even now almost obsolete; but did the right hon. Gentleman propose to abolish the power of removing a man from one union to another? So far from it, that there were two clauses in the Bill for rendering a man liable to be punished as a rogue and vagabond if he returned to a union from which he had been removed. A union rating would no doubt go far to remedy the evils of close parishes. That he was willing to admit. But in the unions of the county which he had the honour to represent (Hampshire) it was not the fact that the towns would in all cases be relieved at the expense of the country parishes. On the contrary, there were two remarkable instances in which the towns would have to pay a larger sum than at present, and, therefore, he was not willing to argue this question as one of pounds, shillings, and pence between town and country. The union in the county of Norfolk which had been referred to as showing the advantage of a number of parishes being absorbed into one union did not apply, inasmuch as that was a union which though consisting of eighty-six parishes contained only 17,000 inhabitants altogether, the population of the largest parish being 1,625, and any variation in their rating that might have existed previously to the formation of the union was exceedingly small. The abolition of the old law of parochial settlement was a very serious question, and ought not to be entertained by that House, unless the whole country was aware of what was going on. He should, therefore, support the Amendment of the hon. Baronet.

Sir ROBERT CLIFTON, who rose amid loud calls for a division, said he would not give any factious opposition to the Motion, but having looked carefully over the Bill he did not exactly understand its operation. There was one point which had not been mooted, and it was this—if a sum of money had been left in charity for the relief of the poor of any parish, how would the trustees be enabled to use that money in paying the rates as now proposed? It might be said that the trustees of the charity would have only to apply for powers to the Charity Commissioners. But he thought the trustees would be very unwilling to go either to the Court of Chancery or the Charity Commissioners. Some clause should be introduced giving the trustees powers to dispense this money, which had been entrusted to them by the patriotism of some members of the parish.

Mr. HENLEY said, with reference to the complaint of the want of information, that the President of the Poor Law Board had stated that the House had all the information they could have if they waited. Now, he did not think that the right hon. Gentleman had been quite candid with the House in this matter. He quoted, he said, the Return of 1861. The House would recollect these were the words of the right hon. Gentleman; but the right hon. Gentleman knew as well

as he did that that Return only contained information up to Lady-day, 1856. Now, was that fair dealing on the part of a Minister? What had happened since? All the great bearing of the Union charge and the irremovable charge had occured since. Had he quoted from that Return, the right hon. Gentleman would, no doubt, have got up and asked what was the use quoting from a statement of nine years ago. But the right hon. Gentleman would not give any information at all. He said they might go and count it up in the library; but the right hon. Gentleman had all the information in his Office. [Mr. Villiers intimated dissent.] He shook his head. If not, if the right hon. Gentleman had not got it in his office, how could they have it in their library? He took the liberty of saying that he believed the right hon. Gentleman in his office had the information of what all the parishes were rated at two years ago and the expenses of each parish last year; it would, therefore, have been easy to calculate the result, which was the information desired; but it did not answer his purpose that the House should have that information. The question had been argued on three grounds —on what was called the completion of the Poor Law system, and to remedy its deficiencies; on the question of benefit to the poor; and the third was on the question of shifting burdens. He would take the last of these first. Every hon. Member who had spoken in favour of the Bill placed the question of shifting the burdens on the grounds of justice. They all said it was just to equalize the burden. Some hon. Members who used that argument had been open and candid with the House, and said it was a step in the direction of a universal charge and a national rating. But he would call the attention of those who had not gone that length to what fell from the right hon. Gentleman the President of the Poor Law Board. He said a few years ago to the hon. Member for Worcestershire, "you say that an Irremovable Bill would be sure to lead to an union rating — take that step and it will lead to a national rating." On the same principle, now, might it not be said that this Bill would lead to a national rating? The hon. Member for the city of Oxford (Mr Neate) talked a great deal of equalizing burdens, and said there could be no right founded on a wrong—no length of time would sanction an inequality of this kind. But did not that apply to all other descriptions of property after the lapse of a certain number of years? The land tax when it was made permanent some seventy or eighty years ago was supposed to be equal upon all land, that was no longer the case. Why, upon the hon. Gentleman's principle should not the land tax be equalized again? Why, then, was Lancashire to pay only a halfpenny in the pound, and Oxford 1*s.*? Where was the justice of that? If they were to begin equalizing, why not equalize that as well as other burdens? Then as to the shifting of burdens, no doubt all these questions were questions of degree. Statements were made in that House, perfectly true, no doubt, in the belief of those who made them, but they had no opportunity of testing them. What did the noble Lord the Member for Northampton (Lord Henley) say? He said there were three parishes the valuation of which was about £8,000 a year, and the additional burden on them would be £400 a year. Now, an additional burden of £400 a year was equivalent to a capital sum of £12,000. That was the extent of the penalty imposed on those parishes. Then the noble Lord said if they put that fine of £12,000 on those parishes, if they impoverished them by lessening the value of their property by the amount of that fine, the inhabitants would immediately set to and build cottages. And—still more extraordinary—the noble Lord added, the larger inhabited parishes, being relieved of the rates to that extent, would also be tempted to build more cottages; there would be an absolute superfluity of cottages, and they would get no rent for them. That struck him as a very curious argument. He had looked a little into his own union. He took it on what the right hon. Gentleman said was a sufficient return, and he, at least, was bound by it. He should have told the House, but for the language of the right hon. Gentleman, that the return was that of 1856, and he could not tell what changes had taken place since, but the right hon. Gentleman said they wanted nothing more. There were ten parishes taken out of the union in which he lived; five of them were small, and five large. The gain in rating the five large parishes would be £1,400 a year; capitalized, that would be £43,000. The loss in the small parishes would be £600, which represented a capital of £19,000. That was a very serious shifting of burdens. He did not pretend to say that would be the case now; but that was what the right hon. Gentleman told them they ought to rely on. It so happened that the right hon. Gentleman spoke a good deal about Reports. Among others he quoted Mr. Pigott's Report. One of these parishes, Sydenham, happened to be quoted by Mr. Pigott as a close parish. It was one which would gain very much—as much as any—by this shifting of burdens. Much had been said of the cock-and-bull story of pulling down houses. He believed such statements were utterly unfounded. If they could thoroughly test them he believed none of them would hold water. The fact was that all the rural parishes were breeding parishes, and their population was increasing. On the other hand, such places as Liverpool did not breed, and if it were not for the influx of fresh blood from the country in a given number of years the population would come to an end, like the New Zealanders; it would either die out or work itself out. The rural parishes, on the contrary, retained the same number of people that they had always had. They did not want more, and in fact as the tendency of improvements in agriculture was to enable them to cultivate the land with less labour, if the parishes kept the same number as formerly they had as many as they wanted. The right hon. Gentleman had quoted a return of Mr. Pigott's who made some strong observations on the inconveniences of settlement, in which he (Mr. Henley) quite agreed. He said that in these close parishes there was about one person to five acres of land. But the land could not in such a case be said to be very much stripped of the labouring population, especially when a large proportion of the land in these parishes happened to be grazing land. As to the shifting of burdens, he (Mr. Henley) had looked through all the Returns, and in all the unions with which he was acquainted there would be a great shifting of burdens. In some the rates were 1*s.*; in others, 4*s* Therefore, it was not a question of a few pence, and in the south of England the transfer would in some cases be very heavy. The right hon. Gentleman took the House through the various attempts and failures in carrying into effect the scheme he now proposed. The right hon. Gentleman in particular spoke very strongly of the attempt made in 1846-7; but he might have reminded the House of the real reason for stopping then. Hon. Gentlemen would recollect how Ireland in the famine, and the distress that followed, prayed for smaller areas, and how from certain districts the complaint arose that they could afford no assistance in the way of labour, because they were swamped by the large areas. He was thankful that now the burden for the relief of the poor in Ireland was limited to almost nothing. It had been said that in the north of England they were very often hard driven for labourers. In the south he knew the labour had been scarce during the last three or four years in harvest time. If, however, a time of pressure should come, then every union would be exactly in the same position as every large parish. Every one knew that in a large parish if any great number of people were out of work they could not be set to work because people could not agree. One was willing to employ them, and another was not; and the farmer who was willing found he could not afford to have both a heavy rate and a heavy Saturday night, and he was therefore obliged to reduce his labourers to meet his rate. That was a matter which ought not to be lost sight of. He would now say a word on the way in which this Bill would affect the poor. The President of the Poor Law Board quoted the Reports and opinions of Commissioners; but all those Reports and opinions went to the whole question of removal, and not merely to removals within unions. Doubtless there could be no advantage so great to the poor man as to be able to go where he pleased and get the best price for his labour, with the same chance of obtaining relief wherever he might go. That would be a great advantage to the poor man; but he very much doubted whether the limited provisions of the present Bill would be of any appreciable benefit. The hon. Member for Dorsetshire (Mr. Floyer) stated that there were upwards of 6,000 removals altogether; but the removals within the unions which this Bill would do away with would only amount to 366 altogether, and that was a very limited amount of relief. Besides, although 366 orders of removal might have been made, they did not know that a single person had been removed under them; because, although the overseer of parish A might get an order for the removal of a pauper to parish B, yet very often the pauper was not removed. The relieving officer relieved the man and put the relief down to parish B, and the pauper remained where he was. Another phase of this question was that which regarded employment. If you took 100 labourers anywhere and gave them 6*d.* a day, about thirty would earn 8*d.* 30 more would earn 6*d.*, and the rest only 4*d.* If they took the labourers from seventeen to seventy-five there would be pretty nearly the same division. But if a union rating were established the elderly men would not be employed as they were at present. The farmer would employ the young men who could earn most, though they might not be so moral as their seniors; and he would ask why he should take a labourer half worn out. The weaker man, though not a bad man, would naturally get less and less employment and ultimately would have to go into the house. He ventured to say that in all the close parishes he knew—those which were called close parishes—containing twenty, thirty, or forty cottages, half of them were occupied by elderly men, widows, and that class of persons who were not the most profitable persons to live in a parish as far as their labour went. The new reading of things was that these people should be swept out. There would be no failure in their New Poor Law because the system they wanted to introduce was the system which was said to approach perfection—namely, that which existed in London. That meant that all the poor were to be relieved in the workhouse. That was what they called the perfection of the system. He had no doubt that many would starve sooner than accept it. It would reduce the rates—no doubt about that—and then the right hon. Gentleman would magnify it, and say, "See what we have done." The right hon. Gentleman had talked about the failure of the Poor Law owing to the parochial system. He (Mr. Henley) wished he had also enlightened the House a little about the failure of the Poor Law in the metropolis, where people died in the streets, so that the right hon. Gentleman was obliged to bring in another Bill that Session for the protection of the houseless poor of London. Why was that Bill brought in? Because the Poor Law Board knew perfectly well that their system in London did not relieve the poor. The country parishes had no refuges for the destitute like those in the metropolis; but London had a poor wretched class which the Poor Law that they called perfection did not reach, and all knew that but for these refuges, these poor persons would die in the streets. Yet this was the system they want to extend to the country. They all knew that so long as there was a parochial system that state of things could not exist in the country. The people in the parishes at present followed the poor to the union where they went for relief, and there would be a clamour if the guardians were too hard upon them. The real reason why the Poor Law authorities wanted to break up the parochial system was because they knew they could not squeeze the poor and put them under the grindstone as they had done in London. The majority of the poor in London were relieved in the workhouse, while in the country the majority were relieved out of the house. When the small parishes in England were made into unions it would be impossible to say that there would be any difference between them and one large parish, as far as the poor who lived in them were concerned. So far from the proposed measure inducing people to build cottages, he believed it would be a direct inducement to pull them down. He thought so for this reason :—At all the meetings where these questions were discussed, landowners were asked why they did not build cottages on their farms as well as cowhouses and pigsties. They knew that a very limited number of cottages attached to each farm was sufficient for the farmers' purpose. The cottages attached to a farm generally accommodated the carter, the milkman, and the shepherd, and these men who attended to the cattle were all the farmer cared to have living on the spot. All the other work he got done more economically by the piece, and it was perfectly immaterial to him whether the labourer walked a hundred yards or a mile to perform his work. The practice of attaching cottages to farms and letting them with the farms would increase, and these cottages would be filled by the young and able-bodied labourers, while the old and worn out men would in a few years have to find their way to the union workhouse, there to spend the remainder of their days. He could not see in the natural working of human events how it was to be otherwise. But at present the labourers generally lived in their cottages to their death. We might also be quite certain that if we put an increased burden upon many of these parishes, the ratepayers would endeavour to recoup themselves by a saving of expense in some way. One shilling in the pound additional rate was tantamount to a double income tax; at least, he knew that in many counties this would be the case. Hon. Members had talked of the shifting of the burdens which took place when the Irremovable Poor Act was passed. No man doubted that the passing of the Irremovable Poor Bill conferred a great boon on the poor. The expense of the operation of that Act was put upon the parishes, and it was quite right that it should be so placed, and no one grumbled at it. The expense was originally charged upon the common fund, but was afterwards altered. No new burden of this kind, which was felt to be a great benefit to the poor, would be objected to, even if it did increase the rates; but when they came, without any reason whatever, to upset an old settled law, which had had the sanction of 300 years' legislation, there was ground for the inquiry, where were they going to stop if such a course were adopted? They knew the pressure that there was towards equalizing the rates in the metropolis, and there was not a single argument that could be used for equalizing the rates in the country unions that did not apply to the metropolis. When we had equalized the rates in these unions in London upon the plea of justice, would we say it was because some unions were paying twice as much as others? Immediately the rate was equalized throughout the country we must come to a national rate. Who did they expect would object to a national rate? People would feel that the proposed measure would do a great injustice, and, though it might be said it was proposed for the sake of convenience of ministration, they could not say it was for the advantage of the poor. If we could not do away with removal altogether, it would be an advantage to the poor; but this miserable measure for doing away with removal within unions would be no boon at all. It was a mockery and a delusion to call the measure now before the House a boon to the poor, and once the people experienced the effect of the "shifting of burdens," nothing would prevent them going directly for a national rate. The question had been raised, why did we exempt stock in trade from the poor rate? There was no answer to that question. It was originally intended that all property should contribute to the maintenance of the poor; yet, why did coal mines pay while iron mines were exempt? He did not know that any reason could be given for this, except that it had the sanction of 200 or 300 years. If they perpetrated the intended injustice, how could they resist a national rate? It might be said that a general equalization of the rates would lead to an expensive and wasteful administration, but there were people who thought that there would be a wasteful administration even in the unions. What would be said to those who had injustice done to them through this measure? "That we could not provide the proper machinery." It was our business to provide the proper machinery, if we broke down that which protected from this injustice, and it was no answer to say that they would not carry that injustice to its natural end. There was one other matter to which he wished to call the attention of the House, and that was a curious statement made by the right hon. Gentleman the President of the Poor Law Board, in introducing this Bill. He said the charge for the irremovable poor was 52 per cent on the whole cost of the relief of the poor. But he (Mr. Henley) ventured to think at the time that that amount included the establishment charges, and this turned out to be so. In the union in which he lived the expenses for the year up to Michaelmas, exclusive of the county rate, were about £8,000; the common charges—the irremoval poor and charges of the establishment—amounted to about £2,600, being 30 per cent. The charge for irremovable paupers was only 11 per cent, and the charge of the irremovable poor, as compared with that maintenance, simply was 15 per cent. That was very different to the statement made by the right hon. Gentleman. But that was not all — it was a very odd statement altogether, but the words were the more remarkable from the fact that the right hon. Gentleman had the Return in his hands, as well as other Members of the House, and that Return showed that the irremovable poor in the year 1863 amounted to 36 per cent, and in 1862 to 31 per cent. One would have thought that was pretty well; but what did the Return contain besides? Why, it contained also the percentage in the different unions. In the unions in the county of Oxford the charge was 17 per cent; in the South Midland, 18 per cent; and in the union where he lived it was 15 per cent. How then did this extraordinary result come up? Why, in the North Western Union—that was to say, in Lancashire—the relief to the irremovable poor was twice as much as the settled poor, thereby disturbing the average. It was hardly fair of the right hon. Gentleman to make such a statement. He would not say that he deluded the House, because everybody who knew anything about the matter knew that there must be some mystification with regard to it. The Return was now in the hands of Members, and showed the whole amount to the irremovable poor as 36 per cent, while in all the unions it was but 17 or 18 per cent. Lancashire and Yorkshire, from the peculiar circumstances of the time, had disturbed the whole calculation, and had brought out an average which was wholly deceptive to speak of as an average. The statement of the right hon. Gentleman showed the inconvenience of Members of the Government quoting from papers which were not in the hands of the House. The right hon. Gentleman seemed to have got into a habit of doing so. When he brought in his Bill he adopted this course; he had done the same that evening, and, perhaps, when the papers, which were stated to be now upon the table, were procured, some curious results would be ascertained. He repeated that it was not fair to quote from papers — he saw that the right hon. Gentleman had just got his paper back — of which the House knew nothing. In the North Western Union the average was now only 69 per cent, while in the metropolis it was 63 or 64 per cent; and, mind you, he believed that this paper took in the establishment charges, though these were not shown upon the face of it. If that were so, it afforded no test at all. He must repeat the protest uttered by every Member who had spoken in that debate against the unfairness of quoting from papers which were only in the hands of the Government, because they were bandying assertions from one side of the House to the other as to matters which they were not in a position fairly to argue. He had heard nothing in the course of that debate leading him to believe that the benefit to the poor would be at all commensurate to the inconvenience arising from the shifting of the burdens under the present Bill—so far as they knew what that shifting would be. These were all questions of degree, and a moderate shifting of the burdens might not be objected to where the imposition of serious changes would be strongly resisted. The hon. Member for Berkshire (Mr.

Walter) had said this question had been before the House for many years. Everybody knew that; but when it had been so long the pet child of the Poor Law authorities, it was strange that it had never been passed before. And now it would certainly be more fair to all parties that they should know exactly what the incidents of the Bill were before they were called on to pass it. If persons knew everything that was going to be done at the time a law was passed there was no soreness, no heartburning, no unpleasant feeling afterwards. The principle in this country was that all supported what they believed to be right, and when the majority prevailed the minority were satisfied. But that would not be the case if the minority were able to say to the majority afterwards, "You passed this measure blindfolded. You did not know what you were doing. You did not know whether you were putting 3*d.*, 6*d.*, 1*s.* or 2*s.* in the pound upon your neighbour." Heartburnings, they might depend upon it, would be pretty strong. There could be no great gain in hurrying this matter. He believed that if the right hon. Gentleman were to set his shoulder to the wheel, having the information already in his office, it might be placed upon the table of the House after Easter. If this were done they could all act with their eyes open. In the meantime he should cordially support the Amendment of the hon. Baronet the Member for Northamptonshire.

Mr. NEWDEGATE said, he had had personal experience in the relief of the poor, which enabled him to confirm the statements of his right hon. Friend the Member for Oxfordshire (Mr. Henley) as to the evil which must ensue from increasing the area of chargeability and management. In the year 1860, the district which he represented, from Coventry to Atherstone, was plunged into distress by the operation of the Treaty with France upon the riband trade. The relief committee, with which he had acted, had for some time more than 20,000 people to sustain, whose maintenance the Poor Law organization was totally insufficient to supply. When the relief committee commenced its labours they had neither the benefit nor the guidance of those Acts which were subsequently passed with respect to the cotton districts. They had, therefore, to deal with the matter, looking first to the Poor Law organization, and then to the administration of relief from funds contributed by the public—for the difficulties in administration they had to deal with did not include the raising money by taxation. They had merely to look the matter in the face, and ask themselves how they could administer to those who were destitute the means of a livelihood in a spirit of wise and discriminate charity. Did they find the parishes too small for the purpose? On the contrary, in order to bring personal knowledge to bear on the administration of relief, they found it absolutely necessary to break up the large parishes into minor districts. Nor was this the case only in Warwickshire. When the distress in Lancashire and Yorkshire came on, the rules upon which the relief committees had acted in Warwickshire were sent to Manchester. Did the relief committees of the cotton districts attempt to administer relief there by unions? Not at all. Did they attempt it by parishes were they were populous? Not at all. They were obliged to break up large and populous parishes into smaller districts before it was possible to bring the personal knowledge of those who were in distress, and the benevolence of their richer neighbours, to bear upon the administration of the funds with due discrimination, wherever the aggregate or areas of the population to be supplied with necessaries were so large as they are, in many large parishes. Now, here they had a case in which it was not a question of raising money in a district, but only a question of how the sums already in hand should be administered, and large areas or aggregates of destitute persons were found totally unworkable; how much more difficult would it become to act fairly and justly in these large areas when the operation of relief included not only the expenditure of means but the collecting them. In the district he had mentioned, and in which he (Mr. Newdegate) resided, the system the relief committees adopted was attended with success, and they closed their accounts to the satisfaction of the county. But they attained that success by acting upon precisely the opposite principle to that of the Bill then under discussion; the vicious character of the principle of the Bill was illustrated by the failure of the Poor Law throughout the metropolis. At that moment in London they were about to consider a measure to supplement their Poor Law, which had failed from the excessive size of the areas of population over which it extended. Here, then, was a measure which virtually sought to break up the parochial system of England, that had lasted 200 years, in order to entail upon the whole country the embarrassments from which they had hitherto been unable to relieve London, because the parishes of London were too large and too populous for parochial administration. The Bill would inflict heavy burdens on many parishes, and supersede the old system of charitable relief to the infirm, a system, the success of which depends upon personal knowledge of the applicants for relief—a system wanting, he was sorry to say, in the metropolis. It would do away with that true charity, and with that division into districts, without which the distress of Lancashire and Warwickshire never could have been reached. And why were they asked to do this? In deference to a system of centralization—to the dictation of the Poor Law Board, which for years had never lost sight of the one object of superseding the parochial system, which lay at the foundation of our institutions. And the House was asked by the hon. Member for Aylesbury to pass this measure with a view to an extension of the franchise, he (Mr. Newdegate) would like to know how the extension of the franchise could be safely accomplished when the old links which bound individuals to localities, and thus afforded means for their identification, were swept away? He asked the House not to sweep away the very basis of the suffrage by blotting out the system and the means through which the men to whom they might hereafter intrust that suffrage might be traceable and should be known.

Mr. KNIGHT moved the adjournment of the debate. ["No, no!" *and* "Divide!"]

Mr. C. P. VILLIERS hoped that the House would divide upon the measure, as it had been fully and thoroughly discussed.

Mr. ALGERNON EGERTON seconded the Motion for the adjournment, because he thought the House was not in possession of sufficient information on which to come to a decision. He hoped the second reading of the Bill would be adjourned until after Easter. He had received a communication from the guardians who were in the habit of meeting in the county which he represented, stating that they were anxious to discuss the measure, but that they had not had it brought under their notice hitherto. ["Divide, divide!"] He would call the attention of the House to the fact that a great measure affecting the administration of the Poor Law was passed in June of the previous Session; so that there was ample time for legislation upon the subject.

Mr. FERRAND, who also rose amid loud calls for a division, complained that the right hon. Gentleman who had introduced the measure had not considered the case of the manufacturing districts. Many manufacturers had been driven out of Bradford on account of the immense expense to which they were put, and by this measure these gentlemen would not only have to contribute towards the maintenance of the poor in their own districts, but would be also included in the list of those who supported the poor of the populous town of Bradford.

Motion made, and Question, "That the Debate be now adjourned,"—(*Mr. Knight,*) —put, and *negatived.*

Original Question and Amendment again proposed.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 203; Noes 131: Majority 72.

Original Question put, and *agreed to.*

Bill read 2°, and *committed* for *Monday,* 24th April.

AYES.

Anson, hon. Major
Anstruther, Sir R.
Ayrton, A. S.
Bagwell, J.
Baines, E.
Baring, T. G.
Bathurst, A. A.
Bazley, T.
Beaumont, S. A.
Beecroft, G. S.
Berkeley, hon. C. P. F.
Bernard, T. T.
Black, A.
Blake, J. A.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Brady, J.
Bramley-Moore, J.
Bruce, Lord C.
Bruce, Lord E.
Bruce, rt. hon. H. A.
Buckley, General
Bury, Viscount
Butler, C. S.
Buxton, C.
Caird, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Castlerosse, Viscount
Cavendish, Lord G.
Childers, H. C. E.
Churchill, Lord A. S.
Clay, J.
Clifton, Sir R. J.
Clive, G.
Cobbold, J. C.
Coke, hon. Colonel
Colebrooke, Sir T. E.
Collier, Sir R. P.
Cowper, rt. hon. W. F.
Cox, W.
Craufurd, E. H. J.
Crawford, R. W.
Dalglish, R.
Davey, R.
Dillwyn, L. L.
Dodson, J. G.
Duff, M. E. G.
Duff, R. W.
Dunbar, Sir W.
Dundas, F.
Egerton, hon. A. F.
Egerton, E. C.
Enfield, Viscount

Ewart, J. C.
Fenwick, E. M.
Fenwick, H.
Finlay, A. S.
Fitzroy, Lord F. J.
Fitzwilliam, hn. C. W. W.
Forster, C.
Forster, W. E.
Fortescue, rt. hon. C.
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hon. W.
Glyn, G. G.
Goldsmid, Sir F. H.
Goschen, G. J.
Gower, hon. F. L.
Gower, G. W. G. L.
Greaves, E.
Greene, J.
Greenall, G.
Greenwood, J.
Grenfell, H. R.
Grey, rt. hon. Sir G.
Gurdon, B.
Hadfield, G.
Hanbury, R.
Handley, J.
Hankey, T.
Hardcastle, J. A.
Hartington, Marquess of
Hay, Sir J. C. D.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Hennessy, J. P.
Hibbert, J. T.
Hodgkinson, G.
Howard, hon. C. W. G.
Howard, Lord E.
Ingham, R.
Jackson, W.
Jolliffe, rt. hn. Sir W. G. H.
Kekewich, S. T.
King, hon. P. J. L.
Kinglake, A. W.
Kinnaird, hon. A. F.
Lacon, Sir E.
Layard, A. H.
Lanigan, J.
Lawson, W.
Leatham, E. A.
Lefevre, G. J. S.
Legh, Major C.
Lewis, H.
Locke, J.
Lowe, rt. hon. R.
Lyall, G.
M'Cann, J.
MacEvoy, E.
Maguire, J. F.
Malcolm, J. W.
Martin, P. W.
Martin, J.
Merry, J.
Miller, T. J.
Mills, J. R.
Mitford, W. T.
Moffatt, G.
Moor, H.
Moore, C.
Morris, W.
Morrison, W.
Mowbray, rt. hon. J. R.

Neate, C.
North, F.
O'Brien, Sir P.
Ogilvy, Sir J.
O'Loghlen, Sir C. M.
Padmore, R.
Paget, C.
Paget, Lord C.
Palmer, Sir R.
Palmerston, Viscount
Papillon, P. O.
Paull, H.
Peel, rt. hon. Sir R.
Peel, rt. hon. F.
Peto, Sir S. M.
Pinney, Colonel
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Powell, F. S.
Pritchard, J.
Pugh, D.
Repton, G. W. J.
Robartes, T. J. A.
Roebuck, J. A.
Rogers, J. J.
Rothschild, Baron M. de
Russell, H.
Russell, A.
Russell, Sir W.
St. Aubyn, J.
Salomons, Mr. Ald.
Scholefield, W.
Scott, Sir W.
Scrope, G. P.
Scully, V.
Seely, C.
Sheridan, R. B.
Smith, A.
Smith, J. B.
Stacpoole, W.
Staniland, M.
Stanley, Lord
Stanley, hon. W. O.
Stansfeld, J.
Steel, J.
Stuart, Lt.-Colonel W.
Sturt, Lt.-Colonel N.
Taylor, P. A.
Tollemache, hon. F. J.
Tollemache, J.
Tracy, hon. C. R. D. H.
Turner, J. A.
Turner, C.
Vandeleur, Colonel
Vernon, H. F.
Villiers, rt. hon. C. P.
Vyner, R. A.
Waldegrave-Leslie, hon. G.
Waldron, L.
Walter, J.
Warner, E.
Watkin, E. W.
Watlington, J. W. P.
Weguelin, T. M.
Westhead, J. P. Brown
Whalley, G. H.
Whitbread, S.
White, J.
White, hon. L.
Williamson, Sir H.
Woodd, B. T.
Woods, H.

Wyld, J.
Wyndham, hon. H.
Wyndham, hon. P.
Wyvill, M.

TELLERS.
Brand, hon. H. B. W.
Knatchbull-Hugessen, E. H.

NOES.

Adderley, rt. hon. C. B.
Bathurst, Colonel H.
Beach, Sir M.
Beach, W. W. B.
Bentinck, G. W. P.
Bentinck, G. C.
Benyon, R.
Beresford, rt. hon. W.
Beresford, D. W. P.
Biddulph, Colonel M.
Blackburn, P.
Bovill, W.
Boyle, hon. G. F.
Bramston, T. W.
Bremridge, R.
Bridges, Sir B. W.
Briscoe, J. I.
Brooks, R.
Bromley, W. D.
Bruce, Sir H. H.
Bruen, H.
Burghley, Lord
Burrell, Sir P.
Butler-Johnstone, H. A.
Cairns, Sir H. M'C.
Cartwright, Colonel
Chapman, J.
Cholmeley, Sir M. J.
Cole, hon. H.
Cole, hon. J. L.
Cubitt, G.
Curzon, Viscount
Dawson, R. P.
Dering, Sir E. C.
Dickson, Colonel
Disraeli, rt. hon. B.
Du Cane, C.
Duncombe, hon. A.
Duncombe, hon. W. E.
Dunne, Colonel
Du Pre, C. G.
Edwards, Colonel
Egerton, Sir P. G.
Egerton, hon. W.
Fane, Colonel J. W.
Farquhar, Sir M.
Fellowes, E.
Ferrand, W.
Fleming, T. W.
Floyer, J.
Forde, Colonel
Forester, rt. hon. Gen.
Gallwey, Sir W. P.
Gard, R. S.
George, J.
Gilpin, Colonel
Goddard, A. L.
Gore, J. R. O.
Grey de Wilton, Visct.
Hamilton, Major
Hardy, G.
Hartopp, E. B.
Harvey, R. B.
Hervey, Lord A. H. C.
Henley, rt. hon. J. W.
Henniker, Lord
Heygate, Sir F. W.

Hodgson, R.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hotham, Lord
Hubbard, J. G.
Hunt, G. W.
Johnstone, J. J. H.
Kendall, N.
King, J. K.
Knatchbull, W. F.
Knight, F. W.
Knox, Colonel
Langton, W. G.
Lefroy, A.
Legh, W. J.
Liddell, hon. H. G.
Long, R. P.
Lygon, hon. F.
Malins, R.
Manners, rt. hon. Lord J.
Miles, Sir W.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, hon. Major
Morritt, W. J. S.
Mundy, W.
Newdegate, C. N.
Noel, hon. G. J.
North Colonel
Northcote, Sir S. H.
Packe, Colonel
Pakington, rt. hn. Sir J.
Parker, Major W.
Patten, Colonel W.
Peacocke, G. M. W.
Pease, H.
Peel, rt. hon. General
Percy, Earl
Pevensey, Viscount
Powys-Lybbe, P. L.
Quinn, P.
Ridley, Sir M. W.
Rolt, J.
Rowley, hon. R. T.
Sclater-Booth, G.
Scourfield, J. H.
Selwyn, C. J.
Smith, A.
Sturt, H. G.
Surtees, H. E.
Taylor, Colonel
Thynne, Lord H.
Tomline, G.
Trevor, Lord A. E. H.
Trollope, rt hon. Sir J.
Vansittart, W.
Vyse, Colonel H.
Waterhouse, S.
Welby, W. E.
Whiteside, rt. hon. J.
Williams, F. M.
Wynn, C. W. W.
Yorke, J. R.

TELLERS.
Knightley, Sir R.
Stanhope, B.

SUPPLY.

Resolutions [March 24] *reported.*

Lord ELCHO said, that he had given notice of his intention on the Vote for the Defences of Quebec to call the attention of the House to a very important point—what is reported to have been said in the Canadian Parliament relative to this Vote; but at that late hour he would not undertake to initiate a discussion upon so important a subject. If the noble Marquess (the Marquess of Hartington) would consent to postpone the Report until Thursday he would then bring forward his Motion, but should that be inconvenient to public business he would take an opportunity on Tuesday, the 4th of April, to move for papers and extracts of Correspondence relative to the Defences of Canada.

Resolution 1 read 2°, and *agreed to.*

Sir JOHN HAY hoped the noble Marquess would give an answer to the noble Lord. The question which it was desired to discuss was of great importance, and although the House had already had it under its consideration, yet it was desirable that the Government should afford an opportunity of still further considering it.

Mr. SPEAKER said, the Vote referred to had been passed.

The Marquess of HARTINGTON said, that in the hum of conversation that had been going on in the House, he had not heard distinctly anything which the noble Lord had said; but he gathered that it was his intention on the 4th of April to move for papers with a view to a discussion upon the subject of the Defences of Canada.

Lord ELCHO admitted that as the Vote was passed it was now too late to repeat his request for an adjournment of the Report, and therefore he had no alternative but to announce that he would bring the subject under the notice of the House on Tuesday, the 4th of April.

Resolutions 2 to 8 *agreed to.*

Question proposed, that Resolution 9 be read 2°,

Mr. BENTINCK moved the adjournment of the debate. He did so, he said, because he was anxious to have from the Government some answer to the appeal which had been made to them by his noble Friend the Member for Haddingtonshire (Lord Elcho.) Since the discussion upon the Defences of Canada had taken place, information had reached this country by which the whole circumstances of the case were entirely altered. One of the objections which he on a former occasion took to the scheme of the Government was that they had given the House no assurance that the Government of Canada was an assenting party to the proposed arrangements. It now appeared that that Government distinctly stated that they were not assenting parties to it, and that they took exception to the amount of the grant, which was intended to be given by this country for the defence of the Canadian frontier. Under these altered circumstances, he wished to know whether another opportunity of discussing the question would be afforded by the Government?

Mr. CARDWELL said, he did not know on what authority the hon. Member could state that any objection had been made by the Canadian Government to the proposed arrangement. No information, no despatch, had reached him, which led to the belief that the Canadian Government were dissenting parties. He believed, on the contrary, that the Canadian Government would be found satisfied with the proposal made by Her Majesty's Government; and though no despatch had reached him which he was justified in quoting, his belief was that the Canadian Government would fulfil their part in the matter.

Mr. SPEAKER reminded the House that the course which was being pursued in continuing the discussion on a Resolution which had alredy been disposed of was quite irregular. The Resolution now before the House was the last of the Report, and the question was that the House do agree with the Committee in the said Resolution. To that Resolution, therefore, the discussion ought to be confined.

Mr. BENTINCK rose to Order, observing that he had moved the adjournment of the debate, and that he apprehended to be the Question before the House.

Mr. SPEAKER said, the hon. Gentleman simply proposed to move the adjournment; but even admitting that he had moved it, and that the Motion had been seconded, still it would not have been open to him to enter on a discussion of the Vote for the Defences of Canada, which had already been agreed to.

Resolution *agreed to.*

Mr. HENNESSY moved the adjournment of the House. He did so, he said, because when the first Vote was put he believed no hon. Gentleman sitting below the gangway was aware of what was going on, and because several Members were anxious before the Vote was agreed to to hear from the Government whether a fitting opportunity for the discussion of an important subject would be afforded. The Vote, however, having been passed without the knowledge of the great majority of the House, his hon. Friend the Member for West Norfolk (Mr. Bentinck) took occasion on the last Vote to move the adjournment of the debate—which he had distinctly heard him do—and to make an appeal to the Government on the subject of the defences of Canada. Now, he would put it to the House whether it was not the duty of the Government to respond to that appeal, and to let hon. Members know what they proposed with respect to giving an opportunity for discussing that subject on a future occasion.

MR. BENTINCK begged to second the Motion, remarking that the House was proceeding in a somewhat dangerous course, so far as the liberty of discussion was concerned, if the example of that evening were to be followed up. It was not his fault that his proposition had not reached the Speaker's ear, and he regretted it had not been put from the Chair. The result, however, which he sought to bring about would be as effectually secured by the Motion of his hon. Friend as that which he had made, and he, therefore, wished again to ask the Government whether, under the altered circumstances of the case, ample opportunity for the discussion of the important subject of the Canadian defences would be afforded?

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Hennessy.*)

VISCOUNT PALMERSTON: My noble Friend the Member for Haddingtonshire (Lord Elcho) stated, so far as we could make out, owing to the hum of conversation, that he wished the Vote for the Fortifications to be postponed; but that if it would be inconvenient to do that he would make a distinct Motion on Tuesday next, in which he would raise the whole question of the defences of Canada. Now, we accepted the latter alternative; and you, Sir, afterwards put from the Chair the Vote for Pensions to Wounded Officers. The hon. Member for Norfolk (Mr. Bentinck) then moved, or intended to move, the adjournment of the debate for the purpose of bringing on the discussion of the Vote for Fortifications, which I submit would be a perfectly irregular course, for the only discussion which he could legitimately raise must have been confined to the particular Vote before the House. The hon. Member is, therefore, I think, entirely mistaken as to the position in which he stood with regard to his Motion.

LORD ELCHO said, the noble Viscount had clearly stated what had taken place when he first rose to put a question to the Government. No answer, had, however, been as yet given by his noble Friend (the Marquess of Hartington) to that question. He would also remind the Secretary for the Colonies that the real point at issue was not whether Canada was prepared to accept or not a certain sum as the cost of the proposed fortifications, but whether there was a clear understanding between the two Governments as to the proportion which each was to bear. He thought he would be able to show that there was a certain amount of ambiguity and discrepancy existing on the subject between the two Governments; and he hoped if he were unable to bring on his Motion on Tuesday next he would have an opportunity of doing so on the following Thursday, which would, in all probability, be a Supply night.

MR. CARDWELL explained that he did not say that he had received from Canada any despatch accepting the proposal of the Government. What he did say was that he was not aware of anything which would justify the hon. Member for West Norfolk (Mr. Bentinck) in stating that the Canadian Government had expressed dissatisfaction with their proposal, or had refused to perform their part in the defence of their country. He understood that a deputation from the Canadian Government was coming over here to have a conference with Her Majesty's Government upon the subject.

MR. SPEAKER: In putting the Question I desire to say a word upon the point of Order. As I have already stated, there were two opportunities upon which any hon. Member who wished to address the House upon the subject of the fortifications in Canada might have done so—one upon the Question that the Resolution should be read a second time, and the other upon the Question that the House should agree with the Committee in the Resolution relating to that subject. There has been, I admit, one irregularity, and that was that when the hon. Member for West Norfolk, having put off anything that he had to say until the last Resolution, proposed upon that Resolution to raise a discussion upon the Vote for Fortifications, I did not interfere more strictly, and call the attention of the House to the irregularity and impropriety of forcing on that discussion at that moment. However, the House was interested in the subject, and the hon. Member put his Question, and it was answered by the Secretary of State. As far as that there certainly was an irregularity in our proceedings; but the irregularity was not that no opportunity was afforded, but that too wide a latitude was allowed, to discussion.

Sir RAINALD KNIGHTLEY said, that there were other irregularities besides that referred to by the right hon. Gentleman. Questions were sometimes read in a half whispering tone, so that Members sitting on the further benches could not possibly know what was really going on; and sometimes when they supposed that they did know what was going on they were told that the time had gone by, and that they had missed their opportunity. As he understood the matter, his hon. Friend the Member for West Norfolk did not make his Motion for the purpose of raising a discussion, but only to elicit from the Government a clear understanding as to what day they would afford the noble Lord the Member for Haddingtonshire an opportunity for bringing on the question of the Defences of Canada.

Motion, by leave, *withdrawn.*

Resolution *agreed to.*

MUTINY BILL.—COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 1.

Colonel DICKSON asked whether any changes were made in the Bill, so as to make it different from that of last year? The Bill was one which scarcely any of the Members had seen.

The Marquess of HARTINGTON said, that if the hon. and gallant Gentleman had not seen the Bill it was his own fault, because it had been printed. There were only some slight changes, and none affecting the army of England—their object being to bring the Mutiny Act of India into conformity with that of England.

Mr. HENLEY said, it was an inconvenient practice to alter clauses of a Bill which was not printed as amended. The noble Marquess said that the alterations were of no importance; but that was a matter of opinion. Those alterations should not be passed without the House having had an opportunity of seeing them.

Colonel KNOX moved that the Chairman do report Progress, as the Bill was too important a one to be allowed to pass at that late hour of the night.

The Marquess of HARTINGTON hoped the hon. and gallant Gentleman would not persevere in his Motion. It was necessary that this Bill should be passed before Easter, and if it did not go through Committee to-night it would probably be necessary to defer the commencement of the Easter holidays. As far as he was aware, there were no alterations of any importance in the Bill. Fifty copies had been printed, and were at the Vote Office for the use of those who wished to see them.

Colonel DUNNE hoped that his hon. Friend would not press his Motion for reporting Progress, for there would be great inconvenience if the Bill were not passed before the 1st April. He had got a copy of the Bill, and he could not see that there were any great alterations in it.

Clause *agreed to.*

Clauses 2 to 5 *agreed to.*

Clause 6.

Lord HOTHAM called attention to a matter he considered of the greatest importance to the profession of which he had had the honour to be a member. If the statements made in the public papers as to what had been recently said by the Judge Advocate General in the House were true, he could only say it was a matter calculated to bring suspicion and discredit on the administration of the military law of the country. It had been reported in the ordinary channels of information that in the beginning of the month an hon. Gentleman made an inquiry of the Judge Advocate General as to what period of time a man could be kept in confinement after a court-martial upon his conduct had concluded; and further, whether it was true that two soldiers had been kept in confinement for many weeks after the courts-martial had concluded their proceedings and before the promulgation of their sentences. To those inquiries the right hon. Gentleman said that the rule of his Office was that as soon as a sufficient number of the findings of courts-martial had come in they were taken by him to the Queen, and submitted for Her Majesty's approval or otherwise. In the case of the two soldiers referred to the findings of the courts-martial had been approved of, and there was no reason why those individuals should have been kept in custody for one day afterwards. Now, assuming that report to be correct, he (Lord Hotham) ventured to say it raised a question of a very serious nature. The rule in reference to courts-martial was this—that on the conclusion of the trial the proceedings were forwarded to the Judge Advocate General in order that he might see that the proceedings had been conducted in a regular manner—that the evidence taken was legal evidence, and that the sentence pronounced was one in conformity with law. Supposing those requirements to have been fulfilled, the Judge Advocate General had to lay the proceedings before the Sovereign, together with his own opinion and advice thereon. After that the Queen's command was communicated to the Commander-in-Chief, and the sentence was promulgated. If men were to be unnecessarily kept in confinement, what, he asked, would be the result of such a confinement? Was that time between the sentence and its promulgation counted? If so, and if the sentence was a severe one, its severity was mitigated; but if it was a slight one it might be an aggravation of it. But what was the case of the innocent man, and how much more wrong must it be to keep in confinement a man who, having been tried by a court-martial, had been acquitted. The object of a court-martial was not vengeance, but an example to others; and with this object in view the sentence should follow as rapidly as possible, consistent with a full and deliberate consideration of the case. There could be no necessity for a delay of weeks from the conviction to the promulgation of the sentence; and no one could justify the keeping a convicted person unnecessarily in confinement, and still less so to keep an innocent man in custody. He expressed a hope that an alteration in the existing practice would be made.

COLONEL NORTH said, he brought this subject on a former occasion under the notice of the House, at a time when a predecessor of the present Judge Advocate General was in office, and it was then stated that the practice would be altered.

MR. HEADLAM said, he was asked on a former occasion whether there was any precise time a man could be kept in custody between the closing of the court martial and the promulgation of the sentence, and if he had seen the case of the two men referred to. He answered then that he had not seen the case referred to, and that with regard to the promulgation of the sentence there was no specified time for doing so; but he did not mean by that that a man was to be kept for any lengthened time in custody. The practice was to take up a number of cases at one time to Her Majesty for her approval; but Her Majesty had stated her readiness at all times to give audience in these cases. Some delay also took place after that. He had followed the practice of his predecessors; but he thought an alteration for preventing so much delay as was now the case in some instances was necessary. If the case referred to had been brought to his notice he should have inquired into it, and should, no doubt, have taken a course that would have prevented so long a delay before its promulgation.

MR. MOWBRAY said, that during the time he held the Office of Judge Advocate General, no such delay had taken place as that referred to in the case that had been particularly brought under the notice of the House. He could also state that Her Majesty was always ready to give audience in such cases.

COLONEL DICKSON asked, why the same practice was not adopted in Military Courts Martial as in Naval Courts Martial? In the latter, when an officer was acquitted his sword was immediately returned to him.

MR. HEADLAM said, simply because Naval Courts Martial did not require the approval of Her Majesty.

Clause *agreed to.*

Clauses 7 to 21 inclusive were *agreed to.*

Clause 22.

MR. COX said, he found in this clause four causes for which the infliction of corporal punishment was permitted—namely, desertion, disgraceful conduct, misbehaviour, and stealing. Now, it might be easy enough to define desertion, but disgraceful conduct was an indefinite term, and misbehaviour was more indefinite still. The Return of the number of lashes inflicted upon soldiers in the year 1862 showed that different officers must attach very different meanings to the term "misbehaviour," for while in some regiments lashes had been inflicted upon soldiers for that offence, in others there had been no such punishment for misbehaviour. Again, in some regiments a great many men had been flogged for neglect of duty, while in others none had been flogged for that offence. Stealing appeared to be a very common offence in the army, judging from the number of men who were flogged for it. He wanted to know why a soldier was punished with fifty lashes for that crime, while a civilian only, perhaps, suffered a few weeks' imprisonment for it. Would any man in that House get up and say that the infliction of fifty lashes on a soldier made him a good man or more fit to serve in the army? Another offence for which soldiers were lashed, as appeared from the Return, was "making away with necessaries." One man might consider something a necessary which another man might consider to be perfectly unneccessary; and yet twenty-nine soldiers had received an aggregate of 1,000 lashes for "making away with necessaries." In some cases the offences for which lashes had been inflicted were not stated in the Return. There were cases in which it would appear that men had been flogged for "absence." A man might be absent from some cause over which he had no control. Many of the Members of that House were often absent from their duty, and why should they not be flogged for that offence if it was to draw down fifty lashes upon a soldier? In three cases the Return gave the cause of flogging as "miscellaneous." What might that be? It was high time that the flogging system should be done away with, and he, therefore, begged to move, as an Amendment, the omission of the clause.

Lord ALFRED CHURCHILL seconded the Motion. He considered that so long as the clause was retained in the Act we should never get good men to enlist.

Question put, "That the Clause stand part of the Bill."

The Committee *divided:* — Ayes 85; Noes 2: Majority 43.

Clause *agreed to.*

Clauses 23 to 25 inclusive were also *agreed to.*

Clause 26.

Mr. COX moved the rejection of this clause, which was known as "the branding clause." He thought there was no necessity for such a degrading punishment. And, further, he wished to know why it was inflicted on soldiers and not on sailors, many of whom were, no doubt, worse than the "B. C.'s of the army.

Mr. WYLD, in seconding the Amendment, said, that of late there had been a manifest improvement in the conduct and condition of the soldier, and it was his firm conviction that not many years would elapse before this punishment and that of flogging would be abolished both in the army and in the navy. There was no doubt that these punishments operated as a great discouragement to recruiting for both services.

Mr. WHITE said, that as long as this class distinction of making private soldiers and sailors amenable to these punishments was kept up there was an end of the boasted maxim that all Englishmen were equal in the sight of the law.

The Marquess of HARTINGTON said, this punishment was rarely inflicted, and, in fact, it was retained more as a precaution than a punishment. It was to prevent men who had been dismissed or had left his regiment with ignominy being enlisted in another, and thus to save the country the expense of re-enlisting such bad characters. The Return before the House showed how rarely these punishments were inflicted. It was only the perfectly incorrigible characters who were subjected to them, and they need not deter good men from entering the army, because the fact of their being good men secured them from their infliction.

Mr. COX asked why the distinction between the army and the navy was kept up?

Question put, "That the Clause stand part of the Bill."

The Committee *divided:* — Ayes 77; Noes 35: Majority 42.

Clause *agreed to.*

Clauses 27 to 30 inclusive, were also *agreed to.*

Clause 31.

Mr. HENNESSY said, he found it gave power to the Secretary of State for War in a foreign State—namely, in the Ionian Islands; and that Clause 52 also gave the same power. It showed the manner in which the Bill had been brought into the House.

THE MARQUESS OF **HARTINGTON** admitted that the section was not very carefully drawn. No harm would be done by retaining the words, but he would consent to omit them.

Words *struck out.*

Clause *agreed to.*

Clauses 32 to 54 inclusive were also *agreed to.*

Clause 55.

SIR **COLMAN O'LOGHLEN** said, that the clause referred to negroes purchased by Her Majesty's Government previous to the abolition of slavery. He wished to know whether there were any such negroes in Her Majesty's service?

THE MARQUESS OF **HARTINGTON** did not believe that there were any, and would therefore consent to the omission of the words.

Words *struck out.*

Clause *agreed to.*

Remaining clauses *agreed to.*

House *resumed.*

Bill *reported*; as amended, to be considered *To-morrow.*

GRAND JURIES (IRELAND) BILL.

On Motion of Mr. BLAKE, Bill to amend the Laws relating to Grand Juries in Ireland, *ordered* to be brought in by Mr. BLAKE, Mr. M'MAHON, and Mr. MAGUIRE.

Bill *presented,* and read 1°. [Bill 93.]

GENERAL POST OFFICE (ADDITIONAL SITE) BILL.

On Motion of Mr. PEEL, Bill to enable Her Majesty's Postmaster General to acquire a site for the extension of the General Post Office in Saint Martin's Le Grand, in the City of London, *ordered* to be brought in by Mr. PEEL and Mr. COWPER.

Bill *presented,* and read 1°. [Bill 94.]

House adjourned at a Quarter after Two o'clock.

HOUSE OF LORDS,

Tuesday, March 28, 1865.

MINUTES.]—PUBLIC BILLS—*First Reading*—Herring Fisheries (Scotland) * (48).
Committee—Colonial Naval Defence * (39).
Report—Colonial Naval Defence * (39).
Third Reading—Bankruptcy and Insolvency (Ireland) Act Amendment * (43, 44), and *passed.*

Their Lordships met; and having gone through the Business on the Paper, without debate,

House adjourned at a quarter past Five o'clock, till Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, March 28, 1865.

MINUTES.]—PUBLIC BILLS—*Ordered*— Tories, Robbers, and Rapparees (Ireland.)*
First Reading—Tories, Robbers, and Rapparees (Ireland) * [95.]
Committee — Married Women's Property (Ireland) * [60]; Mortgage Debentures (*re-comm*) [72]—R.P.; Land Debentures (*re-comm*) * [79] —R.P.; East India (Governor General's Powers, &c.) [76]; East India High Courts * [77]; Consolidated Fund (£15,000,000).*
Report—Married Women's Property (Ireland) * [60]; East India (Governor General's Powers, &c.) [76]; East India High Courts * [77]; Consolidated Fund (£15,000,000).*
Considered as amended—Union Officers (Ireland) Superannuation * [53]; Mutiny.*
Third Reading—Marine Mutiny *; Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation * [82], and *passed.*

SCOTLAND—POSTAL SYSTEM OF FIFE.

QUESTION.

SIR **ROBERT ANSTRUTHER** said, he wished to ask the Secretary to the Treasury, Whether any measures are about to be taken to remedy the defects of the Postal System of Fife so frequently complained of?

MR. **PEEL** said, in reply, that the postal arrangements in the county of Fife were not so satisfactory as the Post Office wished to make them. When the Post Office requested the North British Railway Company (he believed) to allow such terms as the Post Office considered reasonable for the more general use of their trains, the Company declined to accede to them. The negotiations were not successful; but they were still in progress, and he hoped the result would turn out to be satisfactory.

PROPERTY OF THE LATE ALEXANDER CASEY.—QUESTION.

COLONEL **VANDELEUR** said, he wished to ask the Chief Secretary for Ireland, Whether any or what disposition has been made of the property of the late Alexander Casey, of the county Clare, forfeited to the Crown, his alleged will having been set aside by the Court of Probate in 1863; and whether it is true that the late Attorney General for Ireland has recommended the reversion of the property to be left away from the wife of the deceased and to be given in fee to a stranger; and whether he has any objection to lay all the Papers and Memorials connected with the case upon the table of the House?

Sir ROBERT PEEL, in reply, said, the property in question had been disposed of, by the fact of its having been left to the widow during her life; and at her death it was to go to a relative of the deceased husband. He begged to state to the hon. and gallant Gentleman that it would not be convenient to lay the papers connected with the case on the table of the House.

ARMY—ORDNANCE SELECT COMMITTEE.—QUESTION.

Mr. HANBURY TRACY said, he wished to ask the Under Secretary of State for War, Whether it is the intention of Her Majesty's Government to take advantage of the change in the Ordnance Select Committee occasioned by the retirement of Colonel Gallwey to associate another Naval Member with that Committee?

The Marquess of HARTINGTON said, in reply, that Colonel Gallwey was the only Engineer Officer on the Select Committee, and it would be necessary for his place to be filled up by another Engineer Officer; but Captain Key, of the *Excellent*, had, with the concurrence of the Admiralty, been appointed as an Associate Member of the Ordnance Committee, in order to assist them on all questions connected with naval ordnance.

INDIA—LUCKNOW PRIZE MONEY. QUESTION.

Mr. SCHOLEFIELD said, he would beg to ask the Secretary of State for India, Whether there will be any further distribution of Lucknow Prize Money; and, if so, when it is probable the distribution will take place?

Sir CHARLES WOOD: Sir, another distribution has, in point of fact, been advertised in India. The roll, however, has not as yet been sent home. I inquired whether the first roll could not be made available, but was told that it was so inaccurate it was absolutely necessary to wait for the new roll to come home.

RECRUITING IN THE ARMY.—QUESTION.

Colonel NORTH said, he rose to ask the Under Secretary of State for War, If the Committee appointed to consider the subject of Recruiting in the Army have reported; and, if so, whether the Report will be laid upon the table of the House?

The Marquess of HARTINGTON, in reply, said, the Committee, which he supposed the hon. and gallant Gentleman referred to, was a purely Departmental Committee. It was composed of some officials of the War Office and of the Horse Guards, and was framed with a view of reporting to the Commander-in-Chief certain details connected with the subject of recruiting in the army. The Report had only just been received, and was at present under the consideration of the Secretary of State. If his hon. and gallant Friend would repeat his Question at a later period, he would be able to inform him when he would be prepared to lay the Report upon the table. The Committee, however, being merely a Departmental one their proceedings were not intended to be made public.

THE IONIAN ISLANDS DEBATE.—PENSIONS TO OFFICERS.

PERSONAL EXPLANATIONS.

Mr. BAILLIE COCHRANE: Sir, I am anxious to make a personal explanation, and in order to set myself right with the House I will move the adjournment—a course I never before adopted since I have had the honour of being a Member of this House. When I brought forward the question of the Ionian Islands' pensioners the other evening I made two statements, both of which received a most emphatic contradiction from the right hon. Gentleman the Chancellor of the Exchequer. The statements were these:—First, that the Duke of Newcastle, when Colonial Secretary, and when the cession of the Ionian Islands was under consideration, counselled the British officers who served Her Majesty in those islands to accept a guarantee for their pensions from the Greek Government, for this reason—if they were paid their pensions by the Greek Government they might at the same time hold appointments under the British Crown. The other statement which I made was this—that an understanding having been entered into with the Duke of Newcastle, it was violated by the advice of the Chancellor of the Exchequer.

Now, to both of these statements the right hon. Gentleman opposite gave a denial in such strong terms that I almost felt he impugned the veracity of my statements. In respect to the first statement, having reference to the understanding which had been come to between the Duke of Newcastle and the gentlemen in question, I received yesterday morning a letter from a gentleman of the highest consideration, who belonged to the Supreme Court of Justice at Corfu. With the permission of the House I will read an extract from that letter—

> "In the debate upon the Ionian Islands pension question I perceive that Mr. Gladstone—"

[*Cries of* "Order!"]

Mr. SPEAKER said, that a letter commenting on a debate in this House was not in order.

Mr. BAILLIE COCHRANE then continued to read the letter, which, after alluding to a denial on the part of the Chancellor of the Exchequer that a promise was ever given by the late Duke of Newcastle, because his Grace would not have repudiated it had he given it, proceeded in the following terms:—

> "There can be no doubt that the late Duke of Newcastle never did, nor ever would, have receded from nor repudiated any promise he had made. This unenviable task devolved on others after he became incapacitated from attending to public business, shortly before the signature of the Treaty of the 29th of March, 1864. You are quite accurate in stating that his Grace, acquainted as he was with the provisions of the Ionian pension law, expressed his regret that he could not succeed in obtaining for us a British pension, but that a Greek pension would at least have the advantage over a British one of being tenable with employment under the British Crown; and that as to the doubtful security of the Greek Exchequer, Great Britain would see those pensions paid. His Grace added that he would place his opinion on record in such a manner as to bind his successors. You were, therefore, entirely justified in the statements which you made, and of which I am ready to assume the whole responsibility.
>
> "P. M'C. Colquhoun."

So far I think I have justified my first statement. Now with respect to the second statement I made as to the advice given by the Chancellor of the Exchequer I am sure I am not mistaken in that statement, and I am borne out in it by the testimony of several gentlemen connected with the matter to whom I have spoken. But the right hon. Gentleman opposite stated that I was not justified in saying that he had advised a breach of the engagement that had been entered into in respect to those pensions. This very morning papers connected with the Ionian Islands question were laid upon the table of the House, and in one of them I found a copy of a letter addressed by M. Tricoupi to a Greek official, in which he referred to a conversation with Mr. Gladstone. Writing to M. Delyanni from Athens on the 1st of February, 1864, M. Tricoupi said—

> "I likewise spoke about the compensations to the *employés* who are not entitled to pension. I requested him (Mr. Gladstone) to charge on the English Exchequer the expense thereof. Mr. Gladstone replied that Parliament would not vote a credit for this purpose; but he was of opinion that the amount agreed on for this object might be reduced. That the payment of the compensation might cease on anyone entitled accepting a salaried post under the British Government."

I will not retort upon the right hon. Gentleman the very severe language which he applied to my statements the other night. I am only anxious to show that I never have made in this House, for which I have the deepest respect, a statement which I did not deem myself in the fullest degree justified in making, and which I did not think rested on the most unexceptionable authority. I beg, Sir, to move the adjournment of the House.

Mr. SPEAKER: I am much obliged to the hon. Member for desiring to observe the Rules of the House, I must remark that he will better satisfy those Rules by not moving the adjournment, having had the full opportunity of making his personal explanation.

The CHANCELLOR of the EXCHEQUER: As far, Sir, as I am concerned, I confess I do not quite understand in what sense the statement just delivered by the hon. Gentleman is a personal explanation affecting his own character or veracity. No charge whatever of that kind was made by me against the hon. Gentleman on the former occasion — absolutely none; and, moreover, I venture to tell my hon. Friend that if he thought I had made such a charge the proper course would have been to take notice of it there and then; for then it would have been my duty to explain. [Mr. Baillie Cochrane: I had not then got the letter.] I must distinguish between the soundness of my hon. Friend's arguments and his own personal veracity. I impugned, indeed, the soundness of his reasoning, and also showed grounds for believing that the statement which he made with regard to the Duke of Newcastle could not be correct. But that statement was not made by my hon. Friend himself upon his own credit. That was perfectly well understood at the time. If, however, my hon. Friend thought his veracity impugned by anything that I said, I must repeat that he should have pointed it out at the moment. He speaks of the very severe language used by me. Will he have the kindness to point out a single phrase employed by me of which he has reason to complain, and I will withdraw it in a moment?

Mr. BAILLIE COCHRANE: The language used by the right hon. Gentleman was this—

> "He (Mr. Cochrane) had brought a serious charge against the late Duke of Newcastle, for he had accused that nobleman of departing from an agreement which he had made with these gentlemen. For his own part, he did not know that any such agreement had ever been entered into by the late Duke of Newcastle. . . . . He must say that he possessed so much confidence in the honour of the late Duke of Newcastle that he felt convinced that no such agreement ever existed."

The right hon. Gentleman went on to say—

> "His hon. Friend had not laid before the House the grounds upon which he asserted that the engagement he had stated had been made."

I think that is very strong language.

The CHANCELLOR of the EXCHEQUER: I am really, Sir, as much at a loss as when I began to know what words, what expression, what idea, what suggestion conveyed in those words it is that my hon. Friend complains of. I did not impugn the veracity of my hon. Friend, but I endeavoured to show that he must have been inaccurately informed. I did not presume to state that the Duke of Newcastle had not made such an agreement. ["Oh!"] Has not my hon. Friend just read the very words in which I stated that I was convinced the noble Duke had not made such an agreement? And is not that a different thing from stating, as a matter of fact within my own knowledge, that he had not made such an agreement? How could I undertake to state with regard to one who is, unhappily, removed from among us what he had done in answer to a statement of that kind, not resting upon any words of his own, but upon the assertion of some one not in this House, who had been in communication with him? What I endeavoured to show was this:—The Duke of Newcastle was ultimately a party to the arrangement made with regard to these gentlemen. As a portion of that arrangement it was agreed that the pensions which they were to receive should abate upon their taking office in the same manner as if they had been English pensioners. My hon. Friend said that was contrary to the assurance given by the Duke of Newcastle, and I replied that that statement, if it were true, would imply that the Duke of Newcastle was guilty of what I am sure no one would think of imputing to him. I am entirely at a loss to understand how in any of the words which I used, or of the arguments which I addressed to the House, there could have been anything in the slightest degree offensive to the hon. Gentleman. If he will have the goodness to point out to me more decidedly, in a way that I can understand, what it is that he complains of—although, perhaps, I might have some ground of complaint as to what has occurred—I shall be most happy to render him every reparation in my power. Then the hon. Member says that I deny having given the advice to the Greek Minister that the pensions should abate in the manner I have described. I never made any such denial. What I denied was that I had been a party to any breach of an understanding. I must, indeed, have been devoid of all sense to have made the denial which the hon. Member imputes to me, because I stated distinctly in this House last year that I had given that advice. I think that advice was just and rational, and I am therefore far from shrinking from the responsibility of having given it. But I entirely deny any knowledge of any such engagement as my hon. Friend refers to which is at variance with that advice; and when it is considered that the Duke of Newcastle acted upon that advice the inference is, I think, pretty strong that he was not aware of any such engagement. I will take this opportunity of saying that the statement of facts made in the debate of last week by the hon. Member for Bridgwater (Mr. Kinglake) with regard to what took place last year was perfectly accurate.

Mr. ROEBUCK: I do not know, Sir, whether I am strictly in order—

Mr. SPEAKER: As the hon. and learned Gentleman appeals to me, I will venture to call to the recollection of the House what its Rules are with respect to proceedings of this nature. A debate has taken place and has passed by; but if an hon. Gentleman desires to make a personal explanation he may do so without making any Motion; and the object of that rule is to withdraw from the general debate matter of a merely personal nature. I therefore took the liberty of pointing out to the hon. Member (Mr. B. Cochrane) that the Rules of the House permitted him to make a personal explanation without moving the adjournment, and that he would be more in order in making his explanation without moving the adjournment of the House—because a Motion involves a following debate. The general Rule of the House is that when a general debate has taken place it ought to pass by, giving an opportunity indeed for personal explanations, but not allowing the former debate to be revived.

MR. ROEBUCK: Allow me, Sir, to say that the right hon. Gentleman the Chancellor of the Exchequer has been allowed to make statements also, and in these statements he has distinctly impugned the veracity of a gentleman who is not a Member of this House.

THE CHANCELLOR OF THE EXCHEQUER: I have impugned no man's veracity. [" Order, order !"]

MR. ROEBUCK: Then, Sir, I will move the adjournment of the House. I did not wish to take that step, but the conduct of the right hon. Gentleman has forced me to do so. A charge was made against the right hon. Gentleman, and he attempted to get out of it by withdrawing from the hon. Member (Mr. Cochrane) his implied imputation on his veracity. But a practised rhetorician like the right hon. Gentleman knew how to shape his phrase so as, while withdrawing the imputation from the hon. Member who is present to shift it to the absent person who had given the hon. Member his information. Now, Sir, I am here to say that the whole of this matter from beginning to end has been a disgrace to the British Government, and I will add that the chief person on whom that disgrace rests is the Chancellor of the Exchequer. I will justify what I have said—["Order!"] and that to the meanest capacity in this House. [" Order, order !"]

MR. SPEAKER: I invite the hon. and learned Member to consider whether it will be in accordance with the Rules of the House to go back to a discussion which has lately taken place; because the hon. and learned Member is not now confining himself to personal explanation; but he states that the whole transaction to which he is referring is a disgrace to Her Majesty's Government—meaning the whole subject of the debate which has recently taken place. It is for the House to say whether that is regular; but in my opinion the course which has been pursued in reviving a discussion which lately took place is not in accordance with the Rules of the House.

MR. ROEBUCK: In obedience to you, Sir, I abstain at once from making any further observations. Another opportunity will, no doubt, be given me of justifying my assertion. I have said what I have said, and the justification will come hereafter.

THE CHANCELLOR OF THE EXCHEQUER; Really, Sir—

MR. ROEBUCK: I rise to Order, Sir. I shut my mouth at your command, and I now appeal to you whether there shall be a reply upon what I have not said.

OFFICE OF POSTMASTER GENERAL.

MOTION FOR A SELECT COMMITTEE.

MR. DARBY GRIFFITH, in bringing before the House the subject of which he had given notice, said, that it was one, if not of pressing emergency, at all events of considerable constitutional interest. The office to which his Motion related appeared to stand in a peculiar position. Every other office connected with the Government was understood to be capable of being filled by Members of that House; the office of Postmaster General alone must, it would seem to be contended, be filled by a Peer. So late as last Session, the noble Viscount opposite (Viscount Palmerston) when questioned as to whether a fair number of the Offices in his Government were filled by Members in that House, stated that, as a matter of course, the Postmaster General was a Member of the other House. In a popular account of the Post Office published the year before last, he found it stated that the Postmaster General must be a Member of the House of Lords; but no reason for that statement was given. This was certainly a remarkable anomaly; was it founded on any reason? His object was to ascertain whether any such reason existed; and he asked for a Committee of Inquiry for the purpose. The history of the office was connected with the civilization of the country. It was first mentioned in the reign of Henry VIII., who was a very accomplished literary prince. He wrote a tract against Luther on the seven sacraments, and received from the Pope the title of Defender of the Faith for his defence of Roman Catholic doctrine, which is the origin of that title as now assumed by the Sovereign of Great Britain In consequence of his correspondence with Rome and other parts of the continent he instituted a post and appointed one of his Secretaries master of it. The Office went on increasing under Charles I. and the Commonwealth. During the Commonwealth the first Postmaster was appointed under the Great Seal of that time. After the restoration in the 12th of the reign of Charles II. an Act was passed consolidating the previous Acts, and the Act provided that one Postmaster General should be appointed for His Majesty's dominions, but said nothing about his being a Peer, or any other restriction. Charles II. conferred the Office on the Duke of York, who performed the duty by deputy till his right merged on his accession to the Crown. The Office was made the engine of Royal patronage, and large pensions were granted to various parties. A pension of £4,700 was given out of the Post Office revenues to the Duchess of Cleveland. A pension of £4,000 was given to the Earl of Rochester. The same practice of granting pensions out of the Post Office revenues was continued in the reign of William and Mary, when the total amount of pensions reached £22,000 a year. The Post Office Acts were consolidated again in the 9th of the reign of Queen Anne, and further pensions were granted, amongst them one of £5,000 to the Duke of Marlborough—which then amounted on the whole to £65,000. The Act of the 9th of Queen Anne, which settled the whole arrangement of the Post Office, contained no restriction as to the rank of the person who should be Postmaster General. In 1720 the first great improvement in the Post Office took place, when it was farmed by Mr. Allen, postmaster of Bath, the original of Squire Alworthy in Fielding's novel *Tom Jones*, and whom Pope had immortalized in the couplet—

> Let humble Allen with an awkward shame
> Do good by stealth and blush to find it fame.

He made about £10,000 a year out of the Post Office, and held the appointment for forty-four years. In 1784 Mr. John Palmer was the next great Post Office reformer, who accelerated the mails by means of coaches. He received a pension of £3,000 per annum, and a donation of £50,000 from Parliament. He was supported by Mr. Pitt in carrying out his improvements. He did not find, upon referring to the Acts passed in the reigns of Charles II., Anne, or Victoria, with reference to the regulations of the Post Office, that there were any clauses affirming in the slightest degree the appointment of Peers to the office of Postmaster General. Formerly there were two Postmasters appointed, and in 1822 Lord Normanby brought forward two Motions, one within six weeks of the other, for the purpose of abolishing the practice of appointing two persons. Great malversations had taken place in the office, yet Lord Normanby was opposed by the Gentlemen then on the Treasury Bench, who said it would be impossible to abolish one of the offices without diminishing the influence of the Crown, and his first Motion was lost by a majority of twenty-five. The second Motion, which was different from the first in some respects, being in the form of an Address to the Crown instead of a Resolution, was carried by a majority of fifteen, and immediately afterwards the office of the second Postmaster General was abolished. The Postmasters General had not all shown themselves favourable to Post Office reformation. The penny post system was adopted by the Melbourne Ministry in 1840, because, on its return to office, after the failure of Sir Robert Peel to form a Ministry, on account of the "Bedchamber Question," in 1839, it felt bound to adopt the popular suggestions which had been made. Lord Lichfield on the Liberal side, and Lord Lowther on the Conservative, both spoke against this Post Office reform. Lord Lichfield in 1837 said "of all the wild visionary schemes which he had ever heard of, this (the penny post) was the most extravagant," and he subsequently said the whole area of the Post Office building would not be able to hold the clerks and the letters if such a change took place. Noblemen had been called up to the House of Lords for the purpose of enjoying the office of Postmaster General, and he could not see that this added to the efficiency of the Public Service. The confining the appointment to a Peer was a limitation of the Royal prerogative, and whatever indirect authority there was for confining it to Peers, he could find no direct authority for the practice. It was a curious fact that Mr. Rowland Hill got a grant of £20,000 for carrying out that system which had been spoken of as he had described by two aristocratic Postmasters General. He saw no reason whatever for the Office being held by a Peer, any more than there was occasion for a double Postmaster General. The hon. Member quoted from a series of enactments which had passed in the reign of Queen Anne, and at other times, to prove what he had affirmed. The only restriction of those statutes was against offices which conferred a profit, or which were new offices since the 6th of Anne. He maintained that the appointment was neither one of profit, nor the Office new. The Post Office was virtually the same since its first institution. The hon. Member then cited several Acts of Parliament bearing upon public offices, the holders of which were disqualified from holding their seats in the House of Commons. In none of those Acts was this Office mentioned. ["Divide!"] If he were to speak candidly, he might say he believed that historical matters of this kind were as worthy of the consideration of the House as was the headstrong party conflict in which his hon. Friend the Member for Swansea (Mr. Dillwyn) proposed to engage the House presently. He believed that the appointment of a Peer to this Office had always been regarded as chiefly ornamental, and as a convenient mode of providing Office for Members of the other House. He maintained that this Office was a highly commercial and mechanical one, and therefore the better adapted for management by a Commoner, though he did not deny that a Peer might be qualified to fill it. Since the right hon. Gentleman the Chancellor of the Exchequer—whose personal courtesy towards himself he was always willing to acknowledge—had included banking and life insurance operations within the duties which appertained to the Post Office, the commercial character of the post had been greatly increased. He should, therefore, be glad to know why Members of the House of Commons were excluded from the Office? and he moved for the Committee of Inquiry of which he had given notice.

Motion made, and Question proposed,

"That a Select Committee be appointed, to inquire whether the practice of appointing a Peer of the Realm exclusively to the office of Post Master General is one which is directed or required by any legal enactment or constitutional principle, and whether the continuance of such practice is of advantage to the Public Service."—(*Mr. Darby Griffith.*)

MR. PEEL said, the hon. Gentleman proposed to have a Committee to inquire whether the practice of appointing a Peer to the office of Postmaster General was founded on any law or constitutional practice, and he (Mr. Peel) hoped in a few words to be able to satisfy him that it was quite unnecessary to trouble any Committee with such an inquiry. With respect to the law of the question he must refer to an Act passed at the commencement of the reign of Queen Anne, which provided that any person appointed to any new office of profit under the Crown, created after 1705, should be disqualified for election and for sitting and voting in the House of Commons. At the time that Act was passed there was in existence an office of Postmaster of England, which office was created in the reign of Charles II., but a few years after, in 1711, the office of Postmaster of England was abolished, and a Postmaster of Great Britain was created, which office was itself abolished in the first year of the reign of of William IV., when a Postmaster for the United Kingdom was appointed. His answer to the first part of the speech of the hon. Gentleman was, that the offices of Postmaster of Great Britain and of the United Kingdom had always been considered to be new offices of profit under the Crown to which the statute of Anne applied. He understood the hon. Gentleman to dispute the application of the statute of Anne to the office of Postmaster General, but he would find that the practice of that House furnished an uniform exposition of the law which was quite decisive upon the point. The office of Postmaster was in the beginning held jointly by two persons, and in 1708 it was held by Sir Thomas Frankland and Sir John Evelyn, who continued to hold it until 1715. Sir Thomas Frankland sat in the House of Commons as Member for Thirsk, and continued to sit until 1711, when the office of Postmaster of England was abolished, and the new office of Postmaster of Great Britain was created, to which the holders of the former office were jointly appointed. Upon reference to the Journals of the House it would be found that on the 7th of June, 1711, Sir Thomas Frankland vacated his seat, and a new writ was issued for Thirsk, for which he sat, and Sir Thomas Worsley was appointed in his stead. Since that time there had been several instances of Members of the House of Commons being appointed joint Postmasters of Great Britain, but in every case they had resigned their seats, and other persons had been elected in their places. There were instances in 1708, 1711, 1721, 1726, 1749, 1770, 1799, 1801, and 1807. The law, therefore, was quite clear upon the point. It was not that Commoners could not hold the office of Postmaster General, but that no Postmaster General could sit in that House. Indeed, there had been a recent instance of a commoner holding that office in Mr. Canning's Government, when Lord Frederick Montagu was Postmaster General. The hon. Gentleman proposed that the Committee should further inquire whether that practice or law might be altered with advantage to the public service. That was hardly a proper question to refer to a Select Committee. It was a subject upon which the Government and the House could form its own opinion. That question did not turn upon such information as a Committee would be likely to obtain, and it could be much better discussed upon a Bill introduced in that House, which was the course taken in 1836, when the Government of the day introduced a Bill to assimilate the management of the Post Office to that of other branches of the public revenue. As to any advantage to the public service which was likely to accrue from an alteration of the law, that question must be considered not only in reference to that House and the public, but also as to the Government. The hon. Member must remember that the Government had to carry on the administration of affairs in the other House as well as in the House of Commons, and therefore it was necessary to have some offices filled by Peers. It would be admitted that the office of Postmaster General was one that could be filled by a Peer with less inconvenience to the House of Commons than almost any other. He could not perceive that any great advantage would accrue to the public service from providing that the office of Postmaster General might be held by a Member of the House of Commons. The chief advantage would be that the House would be placed in direct communication with the Post Office, instead of all questions relating to that Department being answered through the Treasury. But there were other Departments of the public service which were not directly represented in that House, which the Treasury had to answer for, and it would be difficult to have both of those Departments represented in that House. The chief questions that arose in that House connected with the Post Office were mere matters of detail, and upon any question of greater importance the Treasury was equally responsible with the Post Office Department. Upon the whole he thought there was no occasion for an alteration of the existing practice, and if any discussion was required it could be better obtained in that House upon the introduction of a Bill than by any reference to a Select Committee.

After a few words from Mr. DARBY GRIFFITH in reply,

Motion, by leave, *withdrawn.*

CHURCH ESTABLISHMENT (IRELAND.)

RESOLUTION.

MR. DILLWYN, in rising to move—

> "That, in the opinion of this House, the present position of the Irish Church Establishment is unsatisfactory, and calls for the early attention of Her Majesty's Government,"

said, there were in Ireland five millions of people for whom no religious provision had been made by the country. The revenue of the Irish Church amounted to £586,428, but this revenue was appropriated for the wants of a portion only of the community. Out of the 5,798,564 people shown by the last census to be in Ireland, 5,106,692 were left entirely without any religious provision. The sum, therefore, which he had mentioned, was devoted entirely to the wants of 662,072 persons of the whole number. This was a state of things which called for the active intervention of this country, because it was only by the power of this country that this injustice was perpetrated. Before entering on a discussion of the question he wished to clear the issue from all irrelevant matter, and particularly to dispel one error—that he brought the subject forward as an enemy of the Established Church in England, as it would lead to the same principle being applied to it. Some looked upon this Motion, in fact, as the insertion of the "thin edge of the wedge," or as "an attack upon the outworks" of the English Establishment. He distinctly stated, however, that he did not bring forward his Motion as an enemy of the English Church Establishment. He was a member of that Church. He thought that that Church demanded sweeping reforms; and he had advocated such reforms, not as an enemy of the Church, but as a friend, being convinced that reforms were necessary for the purpose of rallying round her an increased support. He believed she needed reforms which would increase her vitality, which he sincerely wished to do, in evidence of which he might say that if he were to build a church he should endow it in the form of the English Establishment. But the English and Irish Churches rested on different foundations. The English Church rested on the consent and goodwill of the people. That was a perfectly good title, and would be strengthened by reforms. The Irish Church depended on a totally different foundation however. If she were to rest solely on the goodwill and consent of the people of Ireland she would collapse at once; but she really rested on the power, and, he might say, the bayonets, which were employed by this country. He was in favour of applying the same principle to both Churches—that was, resting both on the consent and goodwill of the people. He, for one, looked upon the Irish Church as a source of weakness to the English Church, and though the old commonplace cry, "The Church is in danger," had been raised, he had heard it so often raised without cause that he had grown thick-skinned in regard to it. The question, however, was what was the real utility of this establishment? — was there any solid foundation for its existence? It must be considered either as a Missionary or a National Church. In all countries the great bulk of the people were of some religious persuasion or other, and the most obvious definition of an Established Church would be that of an establishment by the general consent of the community for the administration of religion. That was not the position in which the Irish Church stood at the present moment. The Irish Church establishment was originally founded in 1172 by the consent of Pope Alexander II., and at the Synod of Cashel the country was divided into parishes, and other arrangements were made. For a number of years, with more or less success, it pursued its mission; it became so far a National Church that the great part of the people were converted to it, and were essentially Roman Catholic. In the reign of Henry VIII., when the Reformation took place, an attempt was made to convert or force the Irish Church to follow that movement; but whatever might have been done by the bishops and clergy the great body of the people never joined the Reformation. It was said that the bishops did go over to the Reformation. But if they did, it should be remembered that the bishops and the clergymen were not the Church, but only the ministers of the Church. As a matter of fact, however, though some might have been lured over, it was not so sure that even the bishops and clergy generally joined the English Church. Bishop Mant, in his *History of the Irish Church*, (vol. I., p. 88), said that the bishops and the inferior clergy for the most part had remained attached to the Catholic religion. In the reign of Elizabeth he believed that many of them did go over to the English Church; but whether this were so or not, it was quite certain that their conduct was not such as to render their example a great authority, for he found Spencer, in the reign of Elizabeth, writing that some of the Protestant bishops in remote dioceses did not bestow their benefices on the clergy, but kept them in their own hands, or bestowed them on their servants. Bishop Burnett, in his *Life of Bedel*, also complained that the English Church had neglected the Irish as a nation; that the clergy scarcely considered the Irish as part of their charge, but left them in the hands of the priests, taking no further care of them than making them pay tithes. It was thus abundantly clear that the bulk of the Irish people had not gone over to the Protestant Church. Sir William Petty, in 1672, gave the total population of Ireland as 1,100,000; and of that number 800,000 were Catholics, and 300,000 Protestants, including Presbyterians and others. By a Return made for the purposes of hearth money in 1736, it appeared that the population of Ireland then numbered 1,979,810, of whom 1,417,000 were Roman Catholics, and only 562,000 Protestants. In 1834 there was a Royal Commission, and by their Report it appeared that out of a population of 7,954,000, the Roman Catholics numbered about 6,436,000, and the Protestants about 1,518,000. The last census showed that up to the present time the Established Church in Ireland was making no ground. It returned the total population at 5,728,000, of whom more than 4,000,000 were Catholics. In fact, the Church Establishment in that country never had fulfilled its mission as a national Established Church. From figures given by an eminent dignitary of that Church, Archdeacon Stopford, who published a work the year before last on the subject of the Irish Church, he found that in an Irish vicarage two miles long and two miles wide, and containing 2,800 acres, out of a total population of 238 there were only seventeen Protestants. In another population of 410 only ten were Protestants, and so on. The newest of the pleas set up for this Church was that it was a Missionary Church; but any one who knew anything of the history of Ireland must be aware that it was not deemed to be a Missionary Church by its own dignitaries in former times. One of these dignitaries — Dr. Murray, dean of Armagh — at a comparatively recent date was told by the then Bishop of Limerick that it was out of the sphere of his duty to address the Roman Catholics, as such a proceeding would not be attended with much good, but migh result in much mischief; and on a meeting of some hundreds of the clergy in Ireland being told that those rev. gentlemen ought to look to the spiritual wants of the Roman Catholics, there was a shudder of dissent, and the general remark was that such a course of proceeding would set the whole country in a flame. However, they were now told that the Irish Church was a Missionary Church. At the meeting of the Manchester Church Congress, in 1863, the Bishop of Oxford observed that he understood the whole idea of the Church of Ireland to be that it was a Missionary Church. He spoke, of course, from a report of the right rev. Prelate's observations, and without vouching for the accuracy of that report. Now let them see what the missionary success of the Irish Church had been. A Return which he had moved for two years ago, and which was presented on the 24th of March, 1863, showed that there had been a great decrease in the number of the members of the Established Church in Ireland between the years 1834 and 1861. In the former year they numbered 853,651; in the latter only 691,872. He knew it would be attempted to explain this falling off by the famine and the emigration; but it could scarcely be doubted that, as a consequence of the difference in the circumstances of the mass of each of the two religious persuasions, the famine and the emigration must have told much more strongly against the Roman Catholics; and yet the decrease in the total numbers was proportionately much greater in the case of the members of the Established Church than in that of the Roman Catholics. The missionary system had been introduced by the Society for Irish Church Missions. It had been viewed with great jealousy and distrust by the members of the Established Church, and its efforts had been anything but honest. In 1830, a Mr. Bicheno, an able and honest man, published the result of his inquiries into the progress made in converting the Irish. He came to the conclusion that the success of which the Evangelical party boasted was greatly exaggerated; and that the converts were generally either the dependents of proselytizing landlords or persons of abandoned character. In December, 1843, the Rev. Mr. Webster, Chancellor of the diocese of Cork, brought a charge against the Irish missions, which he afterwards proved. Among other things, he stated that agents of the mission had paid persons for pretending to have been of a religion to which they had not belonged. He also said a quantity of bread was given away on Sundays to poor Roman Catholics on the condition that they should learn a verse of the Bible. They took the bread and went away cursing those who had thus tempted them. Again, a number of poor Roman Catholic children were collected together under various pretences, they were placed in a school-house for a few days, and they were then dignified with the name of "converts." These allegations were not made by him (Mr. Dillwyn), but by a clergyman of the Church of England high in office. Whether then they looked at the Irish establishment as a missionary institution, or whether they looked at it as a National Institution, it must be admitted to have been a failure in both respects. But it might be said that it was instituted in order to obtain influence over the people of the country, and so to facilitate government; but if it had failed in converting the people, it must necessarily prove not an assistance but a serious impediment in the way of the administration. Take a parish where there was a clergyman receiving £500 or £600 a year, and having a flock of not more than seventy or eighty persons; but where there were a thousand Roman Catholics, what could be more impossible than for such a state of things to encourage a feeling of good will amongst the people? The priest on the one hand would be obliged to point out to his adherents that he was absolutely dependent upon their liberality, because all the revenues of the parish were appropriated by the small minority who belonged to the establishment. On the other hand, the clergyman would be obliged, in order to justify his anomalous position, to insist that his Roman Catholic parishioners were members of a dangerous and heretical communion. No doubt it was in this way that great part of that polemical bitterness which unhappily prevailed had arisen, and which could not fail seriously to militate with any efforts to secure the good government of the country. The only possible success that could attend an establishment like that in Ireland would be in the way of corruption in buying over political adversaries; and, for all he knew, it might have answered very well in that respect. His hon. Friend the Member for Cork (Mr. Scully) had called attention the other night to some facts that looked like it; for he showed that the Chief Secretary had given an Irish living to a clergyman connected with the English borough which he represented, and had passed over the heads of many old and deserving Irish incumbents. Again, he found it stated in the *Londonderry Guardian* of February 11, 1864, that, on a recent occasion, when a living in that county had fallen vacant, and when the clergy of the diocese were expecting an appointment to be made from amongst their own body, the bishop, with what was called "a precipitancy amounting to indecency," presented the Rev. Thomas Walker, a clergyman of Down, and a son-in-law of the right rev. Prelate. The rev. gentleman was stated to be the third son-in-law for whom the bishop had provided in this way. The number of communications, public and private, which he (Mr. Dillwyn) had received, showed an amount of nepotism, and he might say of corruption, amongst Irish ecclesiastical dignitaries, that was perfectly appalling. Although he trusted on some future occasion to bring those charges under the notice of the House, he did not consider them of sufficient relevance to the question under discussion to allude to them further on that occasion, and his only object in mentioning them was to show what abuses existed in the Church of Ireland under the present system. Before dismissing the subject, he must refer to the vast wealth of the bishops of that Church, who were immensely overpaid for their ecclesiastical services. He would content himself by stating on this point that in the course of sixty-four years the Archbishop of Armagh had received the enormous sum of £887,900. When it was remembered how few were the number of Protestants in Ireland, he could not see upon what grounds the continuance of an Establishment drawing such an immense revenue could be justified. Many of the most eminent statesmen of the day had condemned it in the strongest terms, and that House had years ago passed Resolutions which clearly showed they felt the injustice of maintaining it, which would not have been done had not a strong case been made out. In 1825 a Resolution was passed by a majority of 205 to 182, declaring that it was expedient that provision should be made by law for the maintenance and support of the secular Roman Catholic clergy. Another Resolution was passed in 1835 to this effect—

> "That this House will resolve itself into Committee of the whole House, in order to consider the present state of the Church Establishment of Ireland, with the view of applying any surplus revenues to the general purposes of education, without distinction of religion."

He would ask what had been done to give effect to those Resolutions. Why, the Tithe Commutation Act, transferring the collection of tithes from the clergy to the landlords, and the Church Temporalities Act, of no benefit whatever to the Roman Catholics, the object of which was stated to be for the ease and security of the Church, and the advantage of the persons holding thereunder. A number of bishops were reduced, and certain sums were appointed to the augmentation fund for small livings. But these Acts were passed, and nothing had been done to remove the injustice the existence of which he complained of. In fact the latter Act—the 3 & 4 *Will.* IV. c. 37—had been denounced by Mr. Justice Shee in the strongest terms. The only measure which could be said to have been passed to give effect to these Resolutions was the Maynooth Act of 1845; but that was so trifling a matter as not to call for any very great gratitude from the Roman Catholics. His allegations as to the insufficiency of the Church of England in Ireland were further confirmed by the Amendments which had at various times been proposed upon the Resolutions which he had brought before the House. Two years ago, when he asked for restitution, the hon. Member for Poole (Mr. Seymour) did not dispute his statements, but proposed a measure of re-arrangement. His plan was that part of the revenues of the Established Church, in parishes in which the Roman Catholics largely exceeded the Protestants in number, should be withdrawn from those parishes, and expended in others where there were more Protestants. But the revenues of a parish belonged not to any general fund, nor to the Church as a great corporation, but to the parish itself, and ought to be expended within it. Last year again the hon. Member for Londonderry (Sir Frederick Heygate) did not deny the existence of the evils of which he complained, but proposed an Amendment declaring that the time was not suitable for making experimental changes in the endowments of the Established Church. The right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside) met him more directly, and endeavoured to show that the Roman Catholics did not care about the Established Church, and that his Motion upon the subject was entirely uncalled for. That assertion was answered by the large number of petitions which were presented last year, having upwards of 78,000 signatures, and by those which had been received during the present Session. The right hon. Gentleman had also referred to the religion of Ireland at different periods, but the real question is, not what was the religion of Ireland formerly, but what it is now. The right hon. Gentleman also said, that it was not the business of a private Member to take up this question. In that he agreed with the right hon. Gentleman, and he now only proposed that the House should express its opinion that the subject demanded the early attention of Her Majesty's Government. The year before last the right hon. Gentleman the Secretary for the Colonies said that he would meet the argument with the practical answer that the Government of this country had attempted to carry out a reform of the Irish Church, but had found it impracticable. For his own part, he believed that Ireland had not been fairly dealt with in this matter. The appropriation clause and similar measures were agitated in order to obtain the support of the Roman Catholics to English reforms; but when those reforms were carried the Government threw over the Roman Catholics. It was hardly consistent with good government that a state of things should be allowed to continue of which it had been said that the people were treated as though they belonged to a vile and alien race, that the Church could not be reconciled with propriety and justice, that the present state of things could not be permanent, and that the Church of Ireland was one in which the majority of the people felt no interest, but which they regarded as a badge of degradation. Yet those expressions had been used by the First Minister, the Secretary for Foreign Affairs, the Secretary for India, and the President of the Board of Trade. He believed that if the Government were to take up the question in earnest it would receive a large measure of support in this country and he hoped the House would, by acceding to his Resolution, show that they were actuated by a spirit of fair play, and a regard for the feelings of the Irish people as evinced by the number [of petitions which had been laid on the table on the subject last year as well as in the present Session.

The O'DONOGHUE, in seconding the Motion, said, he was glad it had been submitted to the House in an intelligible and unambiguous form. The hon. Gentleman asserted that the present position of the Established Church in Ireland was unsatisfactory, and that there was some ground for that assertion was proved by the fact that it was sustained by the opinion of more than 4,500,000 of the Irish people, by the united voices of Europe and America, and by the statements of a considerable number of the hon. Gentleman's own countrymen, including several leading Members of Her Majesty's Government. The question, however, raised by the Motion was one which it was difficult, if not impossible, to discuss without exciting angry feelings, yet few, he hoped, would on that account be found to maintain that it ought to be passed over in complete silence. People at the present day were not expected to submit to a great public grievance in order to accommodate the feelings of others; and the answer to the objection that the Motion was calculated to produce religious dissensions was, "Let the Irish people have religious equality, and religious dissensions will no longer be found to prevail." But while he was anxious that the question should be discussed as frequently as possible with a view to its being satisfactorily settled, he was equally anxious to refrain from saying or doing anything which might even appear to reflect invidiously upon the religious opinions entertained by his Protestant fellow-countrymen. In considering the position occupied by the Irish Established Church, he drew a distinction between that Church and its revenues. The one was entirely independent of the other, and he took it for granted that if the Established Church were to-morrow deprived of its revenues it would still continue to exist. To assume the contrary would be offensive to the feelings of every sincere and ardent Protestant, while, no doubt, those who were desirous of obstructing the movement of the supporters of the present Resolution would seek to make it appear that they were endeavouring to attack the Protestant faith. It was, therefore, of importance to be explicit on that head; and he, for one, could assure the House that the opponents of the Established Church in Ireland had nothing to do with points of belief, and sought to raise no question as to the soundness or unsoundness of Protestant doctrine, or as to which was the true Church. The only question they were anxious to raise was, whether it was just and reasonable or in accordance with the usage of contemporary nations that the Ecclesiastical State revenues of Ireland should be monopolized by the Church of a small minority of the Irish people. That question he desired to keep clear of all other matters, especially all matters of a controversial character, so that all impartial men, irrespective of country or creed, might be enabled to form a just and impartial judgment on the merits of the case. In dealing with the subject there was a difficulty which every one, he thought, must feel, and that was that the maintenance of the Established Church in Ireland in its present condition had already been discussed with all the force, eloquence, wit, and logic which could be brought to bear upon it, and all to no purpose. It was under those circumstances hard to get rid of the impression that it was a mere waste of time to continue to recapitulate facts and arguments with which most hon. Members were as well acquainted as with their alphabet. That such was the state of things was to some matter for congratulation, because it led them to the conclusion that the Established Church was still holding the position which they wished to see her occupy. He did not, however, hesitate to say that the effect of so persistent a refusal to redress a crying and acknowledged grievance had been to impress the great mass of the people of Ireland with the idea that there was no reliance to be placed on the action of Parliament, and to cause them to regard with suspicion the man who told them that they ought to have every confidence in the wisdom and justice of the House of Commons. And when the House reflected on the length of time during which the question of the Irish Church Establishment had been under the notice of the Legislature, without any remedy being provided, they must, he thought, admit that it was not unnatural the people of Ireland should come to that conclusion. So far back as the year 1834, when O'Connell had made a Motion in that House for a repeal of the Union, the Government of that day moved an Amendment to the effect that all the acknowledged grievances of Ireland should be redressed, and among those grievances the existence of the Established Church was named, but nothing, nevertheless, had since been done towards its removal. Were hon. Members not tired of hearing that Ireland was the only country in the world where the Ecclesiastical State revenues were enjoyed by the Church of the minority, that that anomaly was maintained in defiance of an overwhelming majority, and that in almost every city, town, and borough in Ireland, the Protestants constituted vastly the smaller number of the population, there being large districts in which there was not a single Protestant, and many Protestant clergymen who had in reality no parishioners. Was it not true that when Ireland was judged by the same rules as Spain and France and Belgium she must be held to be a Catholic country; that as a consequence a Protestant State Church in Ireland was altogether out of place, and that its maintenance there could not be supported on any plea of justice or necessity? Was it not also the fact that although that State Church had during a period of more than 300 years enjoyed all the influence arising out of the possession of great resources, it had been emphatically and finally rejected by the vast mass of the Irish people? It appeared to be impossible for the force of human ingenuity either to add to or diminish the weight of such arguments, and the fruitless repetition of them Session after Session only tended to strengthen the impression that there was no use in appealing to the House of Commons for a solution of the question. But though the House of Commons might have stood still with regard to it, the same could not be said of public opinion out of doors, judging from the proceedings at public meetings and the general tone of the press. The present position of the Irish Church establishment had been already condemned by the most enlightened and influential portion of the English press, and it seemed to be generally admitted that it formed a fair subject for legislative interference. The arguments of those who supported the Established Church in its present position appeared to be of the most artificial and hotbed kind. Even the well prepared arguments used two years ago by the hon. and learned Member for Belfast (Sir Hugh Cairns) were, in some respects, feeble and pettifogging in the extreme. One of those arguments went this length—that if the House of Commons interfered with the ecclesiastical revenues of Ireland, the tenure of private property in that country would be insecure; as if the clergymen in the enjoyment of a church living and his expectant successor in that living stood towards each other in the same position as the owner of a private estate and his heir. Supposing it was true, as stated, that the tithes were paid by the Protestant landowners of Ireland, they had no more claim to them than they had to the unclaimed dividends in the Bank of England, and if the property itself changed hands through the medium of the Landed Estates Court, the tithes would be then, as they were now, the property of the country. It was of the utmost importance to know what course Her Majesty's Government intended to take on the present occasion—the noble Lord at the head of the Government (Viscount Palmerston), the right hon. Gentleman the Home Secretary (Sir George Grey), and the Secretary of State for the Colonies (Mr. Cardwell) having, in published speeches, given their adhesion in every essential particular to the first part of the Motion of the hon. Member for Swansea (Mr. Dillwyn). If they agreed with the first portion how could they reject the latter? If they opposed it, he was anxious to hear what reasons they would give. If they said the time was not come for action, he would ask them was the time not always come for acting with justice. He hoped Her Majesty's Government upon the present occasion would show that they were not afraid to take a just course. If they acted in the spirit which had dictated their speeches, he was certain that not only would they have a large gathering in that House, but their vote would commend itself to the great majority of the Irish people, and also to large numbers of persons in England. A vigorous, just, and prompt course taken at this particular moment would have a most beneficial effect, not only upon the state of Ireland, but, perhaps, upon the future prospects of the Empire.

Motion made, and Question proposed,

"That, in the opinion of this House, the present position of the Irish Church Establishment is unsatisfactory, and calls for the early attention of Her Majesty's Government."—(*Mr. Dillwyn.*)

SIR GEORGE GREY: Owing to the terms of the Motion itself, and to the direct appeal which the hon. Gentlemen who moved and seconded it have made to Her Majesty's Government, I think it right at once to state that Her Majesty's Government deem it their duty not to give their assent to the Resolution proposed. Before stating the reasons which have governed their decison, let me express my entire agreement with the observation made by the hon. Member for Tralee (the O'Donoghue) at the commencement of his speech, that the discussion of this question does not involve any expression of opinion upon points of doctrine. My opposition to the Motion, therefore, will not be rested upon what I conscientiously believe to be the truth of the religion which I profess, and still less will I impugn the religion of those who differ from me. In discussing this question it would also, I think, be better to keep clear of incidental details, such as those relating to the exercise of patronage which the hon. Member referred to. In this country, I have no doubt parallel cases might be found, if they were narrowly sought for; our decision ought to rest upon much broader grounds. I regretted also that in the speech of my hon. Friend some reflections were cast upon a man so eminent as the late Primate of Ireland (the Archbishop of Armagh), who was utterly undeserving of reproach.

MR. DILLWYN said, that he had not meant to convey anything prejudicial to the character of the late Primate.

SIR GEORGE GREY: I accept the explanation of my hon. Friend, but I am sorry he thought it necessary to adopt the invidious course of calculating the total amount of income which the right rev. Prelate received during the years of his Episcopacy and Primacy. I can assure him that the opinion of all who knew the late Primate was that there never existed a more munificent and benevolent prelate, a warmer friend to the clergy, or a truer supporter of the interests of the Church with which he was connected or one who expended more generously and usefully the income of his office. I come now to consider the Resolution, which consists of two parts. It asks the House, first, to declare that the present position of the Irish Church Establishment is not satisfactory, and then that it calls for the early attention of Her Majesty's Government. If the House were to consent to that Motion with the concurrence of the Government, it would, I apprehend, immediately, or at a very early period, be the duty of the Government to introduce a measure giving effect to that Resolution in the sense in which it was proposed. Now, what is the sense in which the Resolution is submitted to the House? And here I must differ from the hon. Member for Tralee, who held that the first part of the Motion had the merit of being free from all ambiguity. A more ambiguous Resolution I never saw. The wording is such that a person warmly attached to the Established Church, but wishing to see further changes made in the same direction as those carried into effect by the Act of 1833, might be led to vote for its adoption. At first sight, one might almost suppose that it would secure the vote of the hon. Member for Poole (Mr. Seymour), who last year advocated changes which, at any rate, he honestly believed would promote the greater efficiency of the Church of Ireland. But I must say that the speeches of my hon. Friend who moved and the hon. Gentleman who seconded the Motion leave no doubt at all as to the real objects of the Motion. The hon. Gentleman does not ask for reform in the Irish Church; he draws a distinction between the Established Church in England and in Ireland; and while professing himself an attached member of the Church of England, and desirous only of sweeping reforms in it, he believes that sweeping reforms would do no good in Ireland. If changes such as those made by the Act of 1833 were carried further, and the number of bishops still further diminished, there is not the slightest intimation on the part of the hon. Gentleman that he would not again bring forward and press this very Motion. Two years ago, when a similar Motion was brought forward, the hon. Member answered that the changes which had been made in the reduction of the number of bishops and in the abolition of church rates did not touch the real issue which he wished to raise. That real issue is not whether any part of the Establishment can be reformed, but whether it shall continue to have any existence whatever as an Established Church. That being the case, Her Majesty's Government have no hesitation in saying that they are not prepared to undertake the responsibility of proposing to Parliament a Bill calculated to effect that object. They believe that this object cannot be obtained except by means which must inflict great injury upon Ireland and involve the country in the risk of very great dangers. The object can only be effected by exciting the bitterest animosities in that country, by producing a conflict of opinion—and I do not say that matters would stop even there—which must throw back the improvement of Ireland to a great extent, and must retard to an indefinite time the arrival of the period that we are sometimes inclined to hope for, when Irishmen, irrespective of creed and politics, will combine together with unanimity and energy, to promote the moral, social, and material well-being of their country. If, as a mere abstract question, I were asked to say that the present position of the Irish Church is not satisfactory, I should probably not differ much from the hon. Gentleman. But when the hon. Gentleman refers to speeches made by myself and other Members of Her Majesty's Government, I must say that he does not do us justice when he detaches separate sentences from the context with which they were surrounded, and from the occasions on which the speeches were uttered. I have often said that I think the establishment of an endowed church in any country where that endowed church is the church of a comparatively small minority, no provision being made by law for religious worship in accordance with the views of the majority, is a course which, viewed as a theoretical and abstract question, cannot possibly be defended. If we were now for the first time considering what should be done, I should think it unwise to take such a course as that which was taken in Ireland, for I should think that it could only produce dissatisfaction and discontent among the people. But with reference to the existing state of things I differ from the hon. Gentleman. When, therefore, reference is made to speeches heretofore addressed to the House on this subject, the House must remember that they were made with reference to some definite object and scheme which was before Parliament at the time. We have been reminded of the Appropriation Clause, and my hon. Friend (Mr. Dillwyn) thinks it would have been easy to have carried that clause if the Government had exerted themselves and had shown themselves in earnest. I believe that my hon. Friend had not a seat in the House when that subject was discussed; but there are hon. Members now present who were in the House at the time, and I ask them whether the Government did not use every effort to induce Parliament to agree to the proposal then made — a proposal which was perfectly consistent with an intention to continue the existence of the Established Church in Ireland, but which provided some means of diminishing the dissatisfaction sure to be excited by an exclusive system. I say, the Government did their best to effect the object, but found insuperable obstacles in the way. Well, then, other speeches were made in 1844 or 1845 when Sir Robert Peel proposed the endowment of Maynooth. Nearly all those with whom I am connected cordially supported that measure. Our arguments were that there existed an exclusive Irish Church Establishment for the benefit of Protestants, and the existence of that Church made it necessary to do what would otherwise be neither necessary nor expedient—provide the means of education for the Irish priesthood. If the Irish Church were not in existence, no such provision for the education of the Roman Catholic clergy would have been expedient. It was because the Irish Protestant Church did exist, and would continue to exist as part of the United Church of England and Ireland, that I advocated the Maynooth Endowment Act, and I still think that that was the only justification of the measure. What we have to deal with is the existing state of things. I have stated my opinion on the abstract question. But am I at liberty to press that opinion without reference to all the consequences which it might entail? I think, on the contrary, we must look to the practical result of such an opinion if it were reduced to practice. We have the Irish Protestant Church established as an existing institution in Ireland. It is not of recent creation; it rests upon the prescription of centuries; and, to use the expression of a distinguished Roman Catholic layman, it is rooted in our institutions. The firm belief of the Government is that it could not be subverted without revolution, with all the horrors that attend revolution. And for what object is this end sought? I have said that the creation of an Established Church for the benefit of only a small minority is theoretically indefensible. But how do we now stand with regard to this question in Ireland? Nothing has been said with regard to the endowment of the Roman Catholic Church in Ireland. But if I had not known the avowed opinions of the Roman Catholics, I should have inferred that the hon. Member for Tralee (the O'Donoghue) was anxious to transfer the revenues of the Established Church to his own Church; that his object and desire were to separate the revenues of the Established Church from the Church, and to give them to the bishops and the clergy of the Roman Catholic Church, who are looked up to by the great body of the people. ["No, no!"] If I had not heard a distinct disavowal from the hon. Member I should have understood that such was his meaning; but I know that that is contrary to the opinions of the Roman Catholic body. Now, my hon. Friend (Mr. Dillwyn) reminded us of a Resolution passed by this House in 1825, which expressed the opinion that endowments ought to be provided for the Roman Catholic clergy, and he seemed to taunt the Government for not acting upon the Resolution, and for not proposing to make some provision for the Roman Catholic Church. I sincerely regret that such a provision does not exist; that after the Union the measures which were contemplated by the authors of the Union were not carried into effect; that civil liberty was not at once given to the Roman Catholics as they were led to expect, and that some provision was not made for the endowment of the Roman Catholic priesthood. But would such a proposal now be listened to for a moment—I will not say by Parliament, but by the people of this country? Is there not a feeling in this country—I do not say it is a right feeling, but still it exists—which would make it impossible, with any chance of success, to propose such a measure; and have we not, moreover, been told of repeated declarations by Roman Catholics that they would not accept such a provision even if it were made? What, then, is the practical grievance? We have in Ireland an Established Church resting upon long, unbroken prescription. It is all very well to say, "Give us religious equality and there will be religious harmony;" but we must bear in mind that this branch of the Church of England and Ireland is very dear to a large body of Protestants in Ireland, and they would not give it up without a struggle. The clergy of the Church enjoy, for the most part, moderate incomes. They live in the country—not absentees—and spend those incomes there for the good of the country. Speaking generally—for there are exceptions in every church—they perform their duties unobtrusively, with faithfulness, and with zeal; for the most part, too, they show charity towards their neighbours, and desire not to give any needless offence to the feelings of those around them. Side by side with them is the Roman Catholic Church, unendowed, but the Church of the great mass of the people. No one will deny that that Church enjoys the greatest possible amount of freedom, it is subject to no control from the State; no exercise of intolerance towards it can be alleged; and, moreover, we find this Church repudiating any desire to possess one shilling of the revenues of the Established Church, or any State endowment. No doubt, there was formerly a serious practical grievance. He could not agree with the hon. Gentleman (Mr. Dillwyn) in the light and disparaging terms in which he spoke of the Tithe Commutation Act. When tithes existed under the old system, and the Protestant clergy in collecting them were brought into hostile collision with the people, scenes took place which were disgraceful in any Christian country, and could not but produce the greatest possible prejudice against the religion which these clergymen taught. Still, they used the only means which the law gave them for enforcing the payment of those tithes. But, we now have none of these scenes; the Protestant clergy are no longer placed in a position of personal antagonism with those residing in their parishes. Tithes are now a rent-charge on the land. The land is bought and sold subject to the rent-charge; and it is admittedly paid for the most part by Protestant landlords. No one supposes that if these tithes were taken from the Established Church they would be allowed to go into the pockets of the landowners. The tithes would be treated, no doubt, as national property; they would be applied in paying the police, or in defraying some of those charges to which the Consolidated Fund is now liable. As a matter of feeling, no doubt, there is a grievance. I am not surprised at discontent existing from the cause I have mentioned, and I should be glad to redress it. But it is impossible to do so without producing evils of far greater magnitude than those which now exist, and without involving the country in dissensions which would be totally destructive of peace and of progress. For these reasons, believing that the object avowed by those who have brought forward the Resolution is one which could not be attained without great mischief, being of opinion that no practical grievance exists, and that in attempting to redress the theoretical grievance, a great shock would be given to our laws and institutions, I can have no hesitation on the part of the Government in opposing the Motion.

MR. GATHORNE HARDY: In taking part in the debate which has arisen on this important subject I trust that I shall follow the example which has been set by the right hon. Gentleman (Sir George Grey), and by the hon. Member (the O'Donoghue), and say nothing calculated to wound the feelings of anybody who may differ from me. At the same time I must speak, firmly and strongly, on behalf of those opinions which I hold with respect to the Irish Church, or rather that branch of the United Church of England and Ireland. Sir, it was said by Mr. Ward, when bringing forward this question, on more than one occasion, as has also been said by the right hon. Gentleman opposite (Sir George Grey), that this was a question which the strongest Government could not carry without disturbing the honest convictions of many, and wounding the feelings and sentiments of those whose sympathies are enlisted with the Irish Church. I am not surprised that the question has been raised. It is impossible to be surprised at it. Nor am I surprised at the quarter from which the movement comes. The hon. Member for Swansea (Mr. Dillwyn), with that candour which he always uses in this House, has shown us the objects he has in view, and the party with which he is acting; and we see at once that the hon. Member, though he may not be prepared to go as far as those with whom he is acting, is advocating principles which inevitably lead to this result—that they would be fatal to the Church of Ireland, and eventually to the Church in this country. After the Census of 1851, much was heard in this House as to the conclusion at which we were bound to arrive with reference to the facts there detailed; and attack after attack was made upon the Church in England, in consequence of what were alleged to be the results obtained from that census. The census was carefully examined; the facts were inquired into; and they were found by no means to lead to the conclusion which those who relied upon them asserted. We were told that the members of the Church of England had become a minority, and that it was in a state of decline; but when we came to test the figures we found they did not bear out that conclusion—that they utterly failed to establish the proposition which the enemies of the Church had so confidently put forward. The attacks upon the Church of England declined. The Census of 1861 came; and those who had been attacking the Church of England refused to apply the test to 1861, which had been so imperfectly applied in 1851. Such was not the case in Ireland. The Churchmen of Ireland were ready to enter into an investigation. It was entered into; and the result was found lamentable, indeed, in its general bearings, showing that the country had gone through a period of deep suffering, as proved by the decline of population which had taken place. But it was also discovered that the figures showing this decline of population exhibited an increase among Churchmen as compared with other religious bodies in that country. When the hon. Member for Swansea speaks of the number that existed in the year 1834, and of the decline from 800,000 in 1834 to 691,000 in 1861 he omitted to state that in 1834 the Wesleyan Methodists—a body of considerable numbers in Ireland—were reckoned among the Churchmen, whereas in the year 1861 they were not so reckoned, and therefore the decline was by no means in the proportion which the hon. Member supposed. The figures show that there has been a relative increase of the Protestant population, as compared with the Roman Catholics and other bodies in that country. That being so, why is this question now raised? I believe that at this moment, by emigration alone, which is still going on, the proportions between the different bodies are still being changed, and still being changed in favour of the Church. The hon. Member for Swansea has dealt with the question, as said by the right hon. Gentleman opposite (Sir George Grey), as if it were an abstract and theoretical question, upon which we could decide without trenching upon what I will not call the prejudices, but the deep-seated feelings of those connected with the Established Church, either in this country or Ireland. The hon. Member says that this state of things is unsatisfactory; but in the hon. Member's view the Church Establishment in Ireland has always been unsatisfactory, and therefore was unsatisfactory when by a solemn league and covenant between the two nations of England and Ireland it was made an essential compact that the Church in Ireland should be maintained as an establishment in conjunction with the Church of England. The hon. Member for Tralee says that this Church is a badge of national servitude. [The O'DONOGHUE expressed dissent.] I am not quoting the exact words of the hon. Member, but perhaps I might use those terms, because the hon. Member took part in the National Association in Ireland, in which the expressions in question were made use of. [The O'DONOGHUE: I have taken no part in it.] Then I beg the hon. Member's pardon; but, at any rate, the hon. Member spoke of the Church Establishment as a degradation to Roman Catholics as being the majority. The hon. Member for Swansea talks of the foundation of the Irish Church as having taken place in 1172, whereas that Church was founded in Ireland in 432, and existed with bishops, priests, and deacons as an independent Church, knowing nothing up to the time of Henry II. of the rule of the Roman Pontiff. I believe that the real time when the badge of national servitude was fixed upon Ireland was when Henry II. compelled the Church to become a vassal of the Pope of Rome. I say, loooking back at the history of the Irish Church, beginning with the 5th century, it appears that she was only 400 years under the Roman Pontiff, and that during the remainder of the time—namely, for above 1,000 years, she has been free. The Church that is established in Ireland is a continuation of the Church that existed before Henry II. went there; and I feel that in defending that Church I am defending a Church that is holding the tenets and carrying out the views of the primitive Church. While I defend it upon these and other grounds, I also defend it upon the ground that I believe it to be true. Where is the degradation that is submitted to by the Roman Catholics in Ireland in connection with the Established Church? It was said in 1853 by Earl Russell that he could not agree with those who stated that there was that degradation. The noble Lord agreed that there was an ecclesiastical difference, but said there was no religious difference, adding, "You have perfect freedom for your religion, and with respect to social and political degradation it no longer exists." Then with regard to the ecclesiastical difference. We have heard from the right hon. Gentleman (Sir George Grey) that the Roman Catholic body have no wish to receive the revenues of the Church. We have heard that they have no wish to receive endowments from the State, and I think we may feel sure from their statements that they would not be inclined to give up any of their privileges in return for any emoluments they might receive from the State. They have, therefore, perfect religious freedom and equality in the true sense of the words. They have not the endowments which have been conferred upon another Church, but they have religious equality, and they do not ask for endowments to put them upon an ecclesiastical equality. Is this Motion brought forward on the ground of the hon. Member for Sheffield (Mr. Hadfield), that there is no right for the existence of an Established Church in any country? If so, while combating the hon. Member for Swansea, I am fighting also with those who would destroy the Establishment not only in Ireland, but in England, in Scotland, and wherever else they might meet with it. That being so, am I not justified in saying that this degradation, which is one of feeling, and sentiment is one which must apply in a parish just as much as in a country. Suppose, for instance, in a parish in Wales there be a majority of Dissenters: they see the clergyman receiving his income for ministering to a minority of parishioners. Do they feel this ecclesiastical inequality? Do they feel this moral degradation? Do they feel this wrong? If the argument be put on the ground of ecclesiastical inequality, then I am justified in saying that the hon. Member for Swansea while attacking the Church in Ireland is also attacking the Church in England. Well, is there any pecuniary pressure? The word tithes gives people the notion that there is a tenth of the produce of the land handed over to some person or other; but I venture to say that in Ireland the tithes are so reduced that they do not affect one-fiftieth part of the produce of the land. The pecuniary pressure is not felt. The peasantry have ceased to feel it, and the great majority of the landlords do not object to it, because they are in connection with this Church, and it is paid through them. It is not, however, taken from the landlords in reality, because it is something that never belonged to them but always belonged to the Church. The hon. Member for Tralee says that the property of the Church is a different kind of thing from the property held by landowners; but Lord Plunket laid it down in the strongest terms that in his opinion there was no difference between them. It seems to be thought that you would be conferring a great boon by preserving the life interests in Church property; but in doing this you do not touch the root of the matter, for the property is not for the clergy but for the Church, and the people have a vested right in it. The population who are or may be Churchmen in Ireland have rights in it; for they ought to be able to find in every parish and place a pastor and a church, and the means of grace in connection with the Established Church. The Churchmen in Ireland are not to be put on a different footing to those in England; for it was upon that basis that we obtained their assent to the Union, and it would be unreasonable and unfair now to turn round upon the Protestants of Ireland and tell them "you have entered into a league with us upon this understanding, but now that we have got the Union and you have lost your national Parliament, you shall not be treated as Churchmen in England are treated; but — as the hon. Member has said—there shall be a complete separation between one Church and the other, we will support one and overthrow the other, and that, too, upon grounds which equally existed at the time of the Union as after it." With respect to this question of property I cannot help observing that in connection with the wrongs and grievances of Ireland, as put forward by those who assume to state them—the

Association to which I have referred—there is prominence given to the question of what is called tenant-right in connection with the question of the Established Church. There is this agitation with reference to the property of the landlord and the Church, and I say if either of them perform their duty inefficiently let it be proved, and let amendment take place; but I deny that you have any right to take the property of the landlord or of the Church to provide a remedy for these supposed evils. I quite admit that in the Resolutions of the National Association language is carefully framed, so as not to indicate any invasion of the rights of property; but although the leaders may be careful, what are we to say to those who are led? Is it possible to look at the tone used in reference to the question of tenant-right without saying that it goes farther than mere tenant-right, and aims at an unjust violation of the rights of property of the landlord. I say it is remarkable that these two things are connected together, and that when there is what we call in England a "dead set" made at the Church, there is also an attack by the same party upon the property in the land. England, as it seems to me, is materially concerned in this question, and it is for this reason that I venture to submit myself to the House at this early period in the debate. Churchmen in England feel deeply interested in the honour of the Established Church in England, which they feel is bound up in this question of the position of the Established Church in Ireland. I feel as deep an interest in the position of the Church in Ireland as in that in England. As branches of the United Church of England and Ireland, they stand upon grounds so similar that you cannot attack the one without materially injuring the other. I believe that the old proverb, "Those who would England win, must with Ireland first begin," describes truly the source of this agitation. It is remarkable how the attacks upon the Church in England have been withdrawn, whilst in the previous Session—a tolerably long one — the hon. Member (Mr. Dillwyn) kept his Motion in reference to the Irish Church before the public, though there were several occasions on which he could have brought it forward. [" No, no!"] The hon. Member says "No," but I may remark that there was an expectation that the previous Session might be the last of this Parliament, and the hon. Member kept his Motion dangling before our eyes, and as the notion of it being the last Session disappeared, so disappeared the Resolution of the hon. Member. It has now re-appeared—I will not say in reference to future events—though it is probable that hon. Members may think it not undesirable to discuss that question with a view to influencing certain constituencies. I was saying that I view the Church in England and in Ireland as one Church, and that we are bound to maintain them upon the same grounds. The view of the hon. Member for Sheffield (Mr. Hadfield), and of those who act with him is, that the supremacy of any one religion ought not to be tolerated; and I feel that this sentiment applies equally to England as to Ireland, and that therefore the interests of the two Churches are combined. The right hon. Gentleman opposite has made answer for the Government as to the view which they take of this question, and I do not find fault with him. The Motion of the hon. Member (Mr. Dillwyn) seems to me to be a trap to catch all that will fall into it. He says it is—

> "The opinion of this House that the present position of the Irish Church Establishment is unsatisfactory and calls for the early attention of Her Majesty's Government."

I have stated that of late years there has been no change except a change for the better in respect to the Irish Church, and that its relative numbers have increased; and this very question which it is said calls for early attention has been again and again brought before various Governments, and has been considered fully, carefully, and anxiously. It is one that requires the early attention of the House, yet has it not had minute attention from all the great statesmen who have sat in this House? In 1833, 1834, and 1835, there were full discussions upon it. Again, during the Government of Sir Robert Peel, when he was in power, Mr. Ward brought forward the question on several occasions, and it was then most fully discussed. The language used on those occasions by the present head of Her Majesty's Government (Viscount Palmerston) was not so much against the Established Church as in favour of the Endowment of the Roman Catholic priesthood. Language was then used which showed that if right hon. Gentlemen opposite had to begin again they would not create such an institution as exists in Ireland. They used, no doubt, strong language in reference to the Establishment in Ireland; but what was mainly urged by the noble Lord was, that he had a great desire to see the Roman Catholic clergy furnished with glebes and glebe-houses, and other fit endowments. Much the same opinion was expressed by Earl Russell. A surplus was talked of in reference to the Appropriation Clause, but that surplus never was found, and never will be found; for the funds of the Church are totally inadequate to the wants of the clergy who are doing her work, and to the people who benefit by it. Moreover, Additional Curates Societies and voluntary contributions of all kinds are required to eke out the scanty revenues derived by the Church, not from endowments in the sense of receiving anything from the State, but from property which is her own. Indeed, her property has seldom been given to her by the State. It was mainly the gift of private individuals in earlier times; and I may mention for the information of the hon. Member for Swansea, who seems to imagine that the Irish Church only came into existence in A.D. 1172, that there are lands now belonging to the diocese of Meath which were granted, I believe, as long ago as the sixth century. The hon. Member, notwithstanding these considerations, seems to think that the question is one which has only to be thrown before the Government, and to become easy of solution. Right hon. Gentlemen opposite used the question against the Government of Sir Robert Peel; but a change began to take place when they came into Office, for nothing has been done by them in conformity with the speeches which had been made, and I do not blame them for it, for I believe that they found it impracticable to deal with the Church in the way in which, while in opposition, they had suggested. Speaking for the Government two years ago, on the Motion of the hon. Member for Liskeard (Mr. Bernal Osborne), the present Secretary of State for the Colonies (Mr. Cardwell), in that measured and guarded language which it is his habit to use, said it would be—

> "To re-open that great question of Irish and British politics, which agitated Parliament, governed parties, and disorganized Ireland. . . . . . We ought not to disturb a question of this sort, touching the foundation of the moral, social, and political interests of the people, without grave cause, and without a well founded hope of bringing it to a safe and satisfactory conclusion. . . . . . . It is a very serious matter for those who are responsible, as Members of this House are, for the good government and the well-being of the country, to appoint a Committee to unsettle a question without a prospect of bringing it to a safe and satisfactory conclusion. . . . What he (Mr. Bernal Osborne) really means is an abstract Resolution of this House again condemning the Irish Church. . . . . I believe this House will not surrender the principle of an Established Church, I believe it will not alienate the property of the Church from the ecclesiastical uses to which it has been devoted."—[3 *Hansard*, clxxi. 1583-4-5 & 6.]

That was the conclusion at which, after long Parliamentary experience, the Colonial Secretary arrived. But in 1853, speaking upon the Motion of the then hon. Member for Mayo (Mr. Moore), the noble Lord the present Foreign Secretary (Earl Russell) took still stronger ground, and recanted what he had formerly said as to the endowment of the Roman Catholic Church, feeling the difficulties which had arisen to be absolutely insuperable. That noble Lord said—

> "Now, as I wish to speak with as much frankness as the hon. Gentleman who spoke last, let me not be misunderstood as saying that this character belongs generally to the lay members of the Roman Catholic Church. I am far from saying so. I am far from denying that there are many Members of this House, and many members of the Roman Catholic persuasion, both in this country and in Ireland, who are attached to the throne and to the liberties of this country; but what I am saying, and that of which I am convinced, is, that if the Roman Catholic clergy had increased power given to them, and if they, as ecclesiastics, were to exercise greater control and greater political influence than they do now, that power would not be exercised in accordance with the general freedom that prevails in this country; and that neither in respect to political circumstances nor upon other subjects would they favour that general freedom of discussion and that activity and energy of the human mind that belong to the spirit of the constitution of this country. I do not think that in that respect they are upon a par with the Presbyterians of Scotland. The Presbyterians of Scotland, the Wesleyans of this country, and the Established Church of this country and of Scotland, all, no doubt, exercise a certain influence over their congregations; but that influence which they thus exercise over their congregations must be compatible with a certain freedom of the mind—must be compatible with a certain spirit of inquiry, which the ministers of these churches do not dare to overstep, and, which, if they did overstep it, that influence would be destroyed. I am obliged, then, to conclude—most unwillingly to conclude, but most decidedly—that the endowment of the Roman Catholic religion in Ireland in the place of the endowment of the Protestant Church in that country, in connection with the State, is not an object which the Parliament of this country ought to adopt or to sanction. Sir, these opinions of mine may lead to

conclusions unpalatable to many who belong to the Roman Catholic Church. They may lead to a persistence in a state of things that I quite admit to be anomalous and unsatisfactory; but I am obliged as a Member of this Parliament to consider —and to consider most seriously in the present state of the world—that which is best adapted to maintain the freedom and permanence of our Institutions. I must look around me at what is passing elsewhere. I must see what is taking place in Belgium. I must see what is taking place in Sardinia and in various countries of Europe. I must regard the influence which, if not exercised, has been attempted to be exercised in the United Kingdom of late years. Seeing these things, I give my decided resistance to the proposal of the hon. Gentleman for the abolition of the Established Church in Ireland upon the principles which I have stated, and which appear to me to be conclusive against the Motion."—[3 *Hansard*, cxxvii. 945-6.]

Now the noble Lord was one of those who had been most eager and earnest in 1843-4 to support the Motions of Mr. Ward to take the revenues of the Irish Church and apply them to the endowment, not of the Roman Catholics alone, but of all the creeds that existed in the country. I do not mean to say that those who supported the Motion were bound by the result which Mr. Ward was prepared to proceed to; but certainly they were prepared to take away the funds from the Established Church, and to bestow them in some way unconnected with that Establishment and its purposes. This being the case, it was afterwards found that the difficulties had become insuperable, and then the hon. Member (Mr. Dillwyn) calmly says that the Government must give their early attention to the question. Why, the question has been considered and studied by every Government, and it has been found impossible to deal with it without causing evils which would be much greater than those you think that you could cure. I do not believe in the discontent that is so much spoken of, for it is there as it is in this country, the agitation against the Church has come down from above, and does not rise up from below. The leaders tell the people that they have grievances which they do not feel. The peasantry of Ireland do not feel these grievances, for I believe that they have found their warmest and kindest friends in the beneficed clergymen. It has been proved over and over again that those who have emigrated send money for their families and friends far exceeding in amount the stipends of the clergymen to whom they remit it, and they send to them in preference to sending to the ministers of their own religion. I do not say this out of any feeling of disrespect for the Roman Catholic priests, but this shows me that the Protestant clergymen have been the friends of all the people in their parishes, and not only of those of their own communion. And yet, when making comparisons, hon. Gentlemen are accustomed to say, "Oh, this man has only twenty or thirty persons to take charge of;" but in England they always added the Dissenters to the Churchmen, and estimate the whole population of the parish as under the charge of its clergyman. What I have mentioned shows me that the clergy in Ireland, as in England, have acted in all charity towards the people, as resident gentlemen and landlords ought to act, and as their tried friends, and that the people have shown that they appreciate this and repose trust in them. There may, indeed, be instances where the clergymen neglect their duty, as some men in all relations of life do, but it is hard to fix upon one or two cases and charge the facts against all, especially now, for there never was a time when the Irish clergy were doing their duty more effectually than at the present time. Now as to the position which the Irish Church occupies, I feel that I am to a certain extent upon delicate ground when I deal with religious subjects, but I am obliged to look at this country in the position she assumed for herself when she established the Church and the Crown upon the principles of the Reformation. This country is a country with a Reformed Church, and the Act of Settlement provides that its monarch must be a member of that Church. There are one or two great civil offices that are still reserved for members of the Church, and I must say that everything that has taken place has shown that in the main this country, while wishing to give absolute freedom to all other religions, desires her statesmen to maintain the principles of the Reformed Church. I cannot help looking at this question in that light. We have a Reformed Church not so much by a change of Church, for the people who had been in allegiance to the Pope ceased to own that allegiance, and remained members of the Church of England. The succession of bishops and pastors remained the same. In Ireland, there has not been the same change in the feelings of the population though at first there was. I wish to deal with the subject justly, and not to blink anything in the discussion of the question, for it is one which will bear any amount of examination, and come out all the better at the close of it. In the beginning the Irish princes and chieftains accepted Henry VIII. and his supremacy almost universally; but when it came to the reign of Elizabeth things had clearly changed. Still the Church of Ireland has ever since remained in connection with the State as a Reformed Church. At the Union you adopted this principle, made the two Churches one, and thus consecrated it. But it was not a new union of the Churches in their spiritual character, for they had been in union in that sense long before. So early as 1172 there had been an interchange of pastors between them, and their clergymen passed from one country to the other. The Churches were completely united, and that is the answer to the observation of the hon. Member (Mr. Dillwyn) that the Act of Union did nothing as to the temporalities. It protected these Churches as established; and what is the meaning of this, unless it applies to their revenues and their connection with the State. Of both these you now wish to deprive that Church. No Parliamentary compact could unite Churches which were in religion disunited; but the English and Irish Churches were one in doctrine and discipline. I believe it was intended at the time of the Union to have endowed the Roman Catholic Church, but it was not intended to attach to it the revenues of the Church Establishment. On the contrary, it was contemplated to give the Irish Church even more than she had before, and to add to her dignity. I have found a passage, though in what connection I cannot now remember, in which Lord Grenville, who had taken an active part in the accomplishment of the Union, and knew well what was intended, said—

> "The plans which were in contemplation included, in the first place, measures of considerable benefit to the Establishment, calculated to promote both its honour and its advantage, and to render it far more adequate than it now can be to the purposes for which it was provided."

The Union, therefore, in reference to the Church was, it seems to me, one of the most solemn obligations that was ever entered into. They had a Protestant Parliament in Ireland, and it was with that Parliament that you negotiated, and at the same time there were negotiations with the hierarchy of the Roman Catholic Church, and I believe that when their assent was obtained they knew very much the terms of the arrangement. I believe that they expected to be endowed, and it is a question whether they might not have been then endowed in accordance with that view; but I question very much whether any such proposition could now be submitted to Parliament with any advantage. I quote from a speech of a most distinguished statesman, now no longer amongst us—Sir James Graham—made in 1834, to show that he was prepared to forego his political friendships—when he, in fact, abandoned the Government, and took his place in a different part of the House—rather than join in an attack upon the Irish Church. He said of a similar proposal to the present—

> "I regret all these nostrums; they are incompatible with that preference which the Protestant State of England, as a fundamental principle, has decided on giving in favour of the Protestant Church Establishment. I stand upon the choice made by this country at the Reformation, sealed by the Act of Settlement, and ratified by the Act of Union. I hold that preference to be among the firmest foundations of our liberties."

And again, in 1844, he said—

> "It has been the object of the Government, and will continue to be its object, to remove all the abuses which exist in connection with the Irish Church, to purify it to the utmost; but, after having removed these abuses, and after having thus purified it, it is the intention of the Government to use its best efforts resolutely to maintain it as the Established Church of Ireland."—[3 *Hansard*, lxxv. 617-18.]

If there be abuses let them be remedied; and I rejoice to say that the Primate of Ireland has stated in a recent charge, that no one is so ready to remedy them as the bishops of the Church of Ireland themselves. I believe that this is so. But many of these abuses have passed away, and for this reason it is that speeches of hon. Members opposite go back to a period that has long gone by, and turn our attention to things that no longer exist—to abuses that formerly caused anger and irritation in Ireland. I say that the Union was a compact of nations, and that you are bound to maintain it. I need not quote the evidence of bishops and eminent authorities in the Roman Catholic Church before Committees, or state how they repudiated the very notion of any desire to subvert or damage the Churches of England or Ireland. I need not state how Mr. Blake repudiated, in the strongest terms, such a course, and considered it would be a fatal one to adopt, dangerous to the general securities we possess for liberty, property, and order. What did Lord Plunket, the great advocate of the Roman Catholic claims, say? Why, that no wrong so great could be inflicted upon Irishmen as to impute to them that they ever had such designs, or that they ever could entertain them. A passage to that effect was quoted by Sir Robert Peel in reference to the Act of 1829, when speaking on Mr. Ward's Motion in 1844; and Sir Robert Peel added that, "no national compact could have more binding force than that entered into at the time of the Union." Lord Plunket said, on the part of the Roman Catholics—

> "There are many who really think, and some who affect to think, that great dangers may result from concession to the Establishment. I declare solemnly that if I could enter into that opinion—if I could see anything of peril to the Church or State—dear to my heart as are the interests of my fellow men, I would abandon these long-asserted claims, and range myself with their opponents. . . . . On the part of the Roman Catholics, I will be bold to say that they harbour no principle of hostility to our Establishment. . . . . Every rational Roman Catholic feels himself no more at liberty to attempt the subversion of our Establishment than to entertain the unworthy purpose of depriving an individual of his property."—[2 *Hansard*, iv. 980-2 & 3.]

Sir Robert Peel remarked on that expression of Lord Plunket's—

> "I think I had a good right to conclude from the declared opinion of the chosen champion of the Roman Catholics themselves, speaking distinctly with their authority, that the removal of those disabilities was compatible with the maintenance of the Protestant Establishment, and that they did not regard the maintenance of that Establishment in the light either of an insult or an injury. . . . . Then, with respect to the Union, I think there cannot be a doubt that Mr. Pitt intended to assure the Protestant mind in England and Ireland that the Protestant Establishment, as it then generally existed, should be thereafter maintained. . . . . . If ever public engagements were made for the maintenance of any public institution, those engagements were made at the time of the Union, when the Protestant Parliament of Ireland consented to the relinquishment of their independence as a Parliament; and I must say, as an actor in the great event of 1829, that I do believe it was the intention of the Government or of the Parliament of that day to create an impression in the Protestant mind of this country that the removal of the Roman Catholic disabilities was not only compatible with the maintenance of the integrity of the Church, but that the integrity of the Church should be maintained."—[3 *Hansard*, lxxv. 650-1 & 2.]

Are these pledges unmeaning things? Are we to be told that the successors of these statesmen are not to be bound by these pledges? Think what an argument you are putting in the mouth of those who resist further concessions. You are making those who were called "bigoted old Tories and intolerants," who were laughed at and scoffed at for predicting such things, turn out true prophets. I say, Sir, that the national compact made at the Union was confirmed by the Roman Catholics through their agents in 1829. It may be said that the people have arrived at a greater knowledge of liberty since that time, and now see grievances which they did not see before; but I have proved that the grievance is not one of political or social degradation, but one of feeling. It may be said that the Roman Catholics do not want these dignities and revenues themselves, but that they want to take them away from those who possess them. We are then called on by this Motion, for it goes to the root of the matter, to violate the fundamental principles established at four great eras. That is — to violate, first, the principles of the Reformation; secondly, of the Act of Settlement; thirdly, of the Union; and fourthly, of the Act of 1829. And for what? Is it to buy peace? We have been told so before, but it is not by surrendering principles that you can buy peace. The hon. Member for Swansea speaks of the Church of Ireland as being propped up by bayonets. Surely that is a fiction which can hardly exist even in the mind of the hon. Gentleman. The population of Ireland is at peace; life and property are secure; and crime was never at so low an ebb as at present. The peasantry of Ireland do not regard the Irish Church as a grievance, but look upon their pastors as friendly neighbours whom they can trust and who trust them. Is peace to be bought by treachery or dishonour—by violating pledges dear to one portion of Irishmen in order to conciliate another? You have given the Protestants of Ireland the security that this Established Church should be maintained. Do you think they have no feelings and no sentiments, or that feelings of animosity will not be excited by such a Motion as the present? Do you think you will not disturb the peace of the Roman Catholic peasantry by inviting them to a spoliation of the Church you have solemnly promised to maintain? And what will all this do? A debate occurred with respect to Ireland a few nights ago. We heard of her distresses. I grieved for them—my blood runs cold at the recollection of the sufferings she has undergone. No sufferings could be greater; but will you alleviate them by the abolition of the Church Establishment. Will carrying such a Motion alleviate the evils which exist in Ireland? Will it bring trade, agriculture, or commerce, or open the ports of the country? A former hon. Member for Rochdale (Mr. Miall) recommended that the money obtained from the spoliation of the Irish Church should be devoted to building lighthouses and public works. But if you abstract that money you will lose the money now granted from public revenue, and dry up its source. It was proposed by Mr. Miall, when in this House, to sell the tithes at ten years' purchase; but I trust the landlords too well understand their duty to receive any such bribe. Is absenteeism a great evil in Ireland? If so, you are proposing to remove a large number of resident gentlemen, who, if not in the character of clergymen, as educated gentlemen, are engaged in advancing civilization and administering charity with impartiality and fairness. And, in addition to that, you are still further increasing absenteeism; because, do you suppose that landlords will remain on their estates when they are deprived of the ministrations of their Church, and when the clergy, who are their neighbours and friends, are removed to a distance? There would be a loss to Ireland even in a money point of view. The endowment of the Roman Catholic Church might be set aside. It is said it would be refused. It would be impossible to give it from the funds of the country. But there would be a still greater difficulty, if the endowment were provided by the State by seizing the property of the establishment for the purpose; there would, indeed, be intolerable heart-burning if you took the endowment from the Protestants and attempted to confer it on the Roman Catholics. The hon. Member for Swansea says this Church is not a National Church, because it is not connected with the majority. I say that when it was united with the Church of England it became one united Church, and that after such union you have no more right to isolate Ireland than to isolate any particular parish in this country, or to isolate the principality of Wales. ["Scotland?"] The hon. Member speaks of Scotland; but Scotland has an Established Church of its own, and if I were an Episcopalian in Scotland, and owned property there, I should no more think of refusing to pay my dues to the Scotch Church than I should think of robbing the hon. Gentleman, who has interrupted me, of the property which he possesses in his own right. I do not hesitate to avow that I think any Church is dead which has not an interest in spreading its religion. I am no advocate for buying proselytes—they are the worst gain—but I am in favour of spreading my religion by fair and open argument. I am not ashamed to say that, in my opinion, the great number of those who have come over to be Churchmen in Ireland have, though low in station, formed their opinions on as high principles as if they had been the richest and proudest in the land. The pamphlet of Mr. Hume (*pp.* 42-3) has shown that in a district where missionary efforts have been made there has been an increase of 344 per cent of Churchmen; that is, the Church's population has nearly quadrupled. And here let me express my thanks to that gentleman and to Mr. Alfred Lee for their admirable pamphlets so full of interesting facts upon this subject. But are you not bound to protect the revenues of the Protestant Church independent of its missionary character? It has been proved beyond doubt that the revenues of the Irish Church are insufficient for the great purposes to which they are appropriated. To 1,510 benefices there are 2,280 clergymen, showing that there are an immense number of the clergy not receiving incomes from the endowments of the Church, but from private sources. Much has been done by the Church of the minority for the religion, the civilization, the health and comfort of the people in many ways, not shown by conversion or missionary exertion. The churches and the clergy have both increased, which would not have been the case had they not been required. What are the facts in this respect? In 1730 the numbers of the clergy were 800; in 1806 they were 1,253; in 1829 they were 1,950; and in 1863 they were 2,281. The increase in churches is as follows:—In 1730 they were 400; in 1800 they were 688; in 1829 they were 1,307; and in 1863 they were 1,632. Is the Church, then, doing nothing? At all events these figures show that she is doing her best to supply the wants of those who are dependent on her exertions. Who can pass over the question of the Church of Ireland without adverting to that munificent instance of liberality just afforded in the city of Dublin by a single individual? Who can advocate the interest of the Irish Church without saying at least that she can show what faithful sons she has, when one single man has contributed £150,000 to put the metropolitan cathedral in a satisfactory state? That brings me to another question—What will you do, supposing this Motion is carried? What will you do with churches which Protestants have built, and the advowsons which Protestants hold? Since 1848 the sum of £67,000 has been paid to the Ecclesiastical Commissioners by voluntary contributions for the assisting in the building of churches alone. [*Ironical cheers from* Mr. HADFIELD *and others.*] It may be said that if that could be done voluntarily more could be done. The cheer comes very well from the hon. Member for Sheffield, the professed hater of endowments; but Sir Robert Peel had stated that on the question of the Dissenting Chapels Bill, where a question of endowments arose between Dissenters unestablished, he had seen more animosity between different Dissenting bodies than had ever existed between the Established Church and Roman Catholics in Ireland. Again, for Lady Hewley's Charities how eagerly did Dissenters contend for endowments? I wish to know why those who hate endowments are always endeavouring to obtain them at Oxford, and Cambridge, and elsewhere. If you do not like them why do you want to have them? Does it not prove that you oppose their present possessors because you want them for yourselves. It has been shown that endowments have their uses, and in no case can they be more useful than in that of the Irish Church. Sir, I have to apologize for detaining the House so long. If I have said one word which has given offence to any one I trust he will pardon me. I speak strongly for my own creed, but in no hostility to the creed of others. I speak in favour of the extension of my own creed, but I am sure when I see the Roman Catholics establishing mission-houses and chapels all over England, that they believe in the importance of spreading the religion which they hold. Be it so; but let us meet in a fair field; let us have a conflict without animosity, and let the best win. I believe that I hold the truth, and I believe that truth will prevail. I trust this Motion will receive, not from the Government alone, but from the House, a direct and emphatic negative. You will be violating first principles by carrying it. You will be damping and disturbing and destroying the energies of the clergy who are working in Ireland. You are disturbing them by constant consideration of their political position. They never know what their position is through the constant attacks made upon their Church from different quarters. The attack on them in this case is made by an Englishman. I, as an Englishman, have ventured to stand up for them. I have feebly advocated their case; but as long as I have the honour of a seat in this House or, failing that, in any sphere in which I may be, I shall be a determined advocate for maintaining the Established Church of England and Ireland, which I believe may be maintained without injury or insult either to Roman Catholics or Dissenters, but which cannot be overthrown without detriment to the best interests of the country, and without violating the most cherished feelings of those who love us best in Ireland.

THE CHANCELLOR OF THE EXCHEQUER: Sir, the hon. Member for Leominster (Mr. Hardy) has stated his views, as we must all have expected, with conspicuous ability. I am free to confess that there are points in his speech, and those neither few nor unimportant, in which I agree with the hon. Member, and there are some which will carry with them the almost universal concurrence of the House. For my part, the hon. Member's view of what I may call the ecclesiastical history of Ireland is, I think, more near the truth than that of my hon. Friend the Member for Swansea (Mr. Dillwyn), who contended that until the latter part of the 11th century there was nothing that could be called a Church in Ireland. I agree, also, with the defence of the Irish Church which the hon. Gentleman has made, so far as it rests on the assertion that there is to be found no such amount of flagrant abuses as would of themselves justify a violent interference with its existence, or any licence of Parliamentary attack. My belief is that as far as abuses, in the common sense of the word, are concerned—that is, those which depend on the conduct of the bishops and clergy, and which are remediable by the wisdom and energy of the clerical body, or the purity of life of its lay members—it is my belief that the Irish Church is perfectly free from such abuses. We must all accord to that Church this praise; that her clergy are a body of zealous and devoted ministers, who give themselves to the high purposes of their sacerdotal functions in a degree not inferior to those of any Christian Church. With respect to her prelates, there are many of them men of great learning, of the highest possible character, of extended charity both in act and opinion; and as to that one of her prelates who a few years ago was removed from among men—the late Primate of Ireland—I join in the regret that has been expressed that any single word should have been introduced into this debate which would seem for one moment to call in question the remarkable excellence of that character in which a princely munificence was united with a dignity and meekness rarely, if ever, exceeded by any bishop of any Church. There is great force, also, in what fell from the hon. Gentleman upon the cardinal question at issue with respect to the social influence and utility of the existence of the Irish clergy through all the districts of the country. It would be great presumption in me to found this opinion upon my own personal observation, but the general effect of evidence is that great social utility is exercised by the presence of a body of educated Christian gentlemen throughout the country; and if they are unhappily precluded from ministering to the wants of their neighbours in the highest functions for which they are specially set apart, yet in their moral, material, and social influence they render valuable services to the community. But still, Sir, these propositions, important as they may be, do not touch the essence of the case, for the speech of the hon. Gentleman the Member for Leominster, if I understood him aright—and I do not cavil about words, but take it in its broader meaning and direct purpose—puts a negative not merely upon the Motion which my hon. Friend the Member for Swansea has put before the House, but also upon the proposition contained in that Motion—that the present position of the Irish Church is unsatisfactory. I am not going to fasten upon the hon. Gentleman (Mr. Hardy) the assertion that there is nothing to cure and amend in the Irish Church; but I do say that the whole upshot and purport of his speech went to show that in regard to all the great, leading, cardinal conditions that determine the action of Parliament, we are so far from being called upon to assert that the condition of the Irish Church is unsatisfactory, that it ought to be regarded as directly the reverse. I am bound to take my share of the responsibility of the course which it has been announced by my right hon. Friend (Sir George Grey) the Government intend to pursue. We are not able to concur in the Motion of my hon. Friend, and yet those who listened to the speech of my right hon. Friend will recollect that while he declined to affirm that the Motion ought to receive the assent of the House, he was not prepared to deny the abstract truth of a part, and what some may regard as the most important part of the Motion. The Motion before the House may be divided into two propositions—first, that in the opinion of the House the present position of the Irish Church Establishment is unsatisfactory; and secondly, that it calls for the early attention of Her Majesty's Government. And no one can consistently vote for my hon. Friend's Motion unless he is prepared to vote for both these propositions. For my part I confess that I cannot refuse to admit the truth of the first, and perhaps most important, of these propositions. With regard to the second, I think that I am not only not required by the fulfilment of duty, but that it would be a departure from duty on the part of Her Majesty's Government if they were to assent to the Motion, unless they were prepared to grapple with this great problem, of which the hon. Gentleman the Member for Leominster has shown us the difficulty, and to bring this Session, or, if not this Session, still very soon before Parliament some plan for the purpose of removing that unsatisfactory character of the condition of the Irish Establishment which we should have joined in asserting. This is a question on which I do not think that the course adopted by the Government will be a very popular one. Nothing, I admit, can be more unsatisfactory to a deliberative Assembly than to hear admissions made in one portion of a speech and retracted, or, at all events, not followed out to their legitimate conclusions in another, and it is obvious that this must, on the first view, appear to be the conduct of Her Majesty's Government; but, for all this, nothing could excuse our declining to look the truth fully in the face. This, perhaps, is not so much a question for present as for future consideration. Those who now undertake the responsibility of delivering their opinions upon this question ought not to regard so much the satisfaction which they may give to their hearers at the present moment as to be careful in laying down principles founded in truth and justice—principles which cannot be affected by any change of time or circumstance. In the few observations which I desire to address to the House, I shall endeavour to follow the example of most of those who have preceded me, and to avoid the use of a single word which by any possibility can give offence. My hon. Friend desires us to affirm that the present state of the Irish Church Establishment is unsatisfactory, and, following in the path set by my right hon. Friend, I should not be prepared to refuse my assent to his invitation, looking at it as an abstract proposition. Now, what is the position of the Irish Church Establishment? It is this—In a nation of between 5,000,000 and 6,000,000 people, about 600,000 or 700,000 have the exclusive possession of the ecclesiastical property of the country intended to be applied to the religious instruction of all. The amount of the ecclesiastical property has been stated at between £500,000 and £600,000 a year. It is not necessary to argue minutely upon details, but I imagine that these figures will hardly be contested. Over and above that amount one-fourth of the whole value of the tithes of the country was given to the landlords by an Act passed, I think, in 1838, under the plea of a consideration for collection, but, in fact, as an important political expedient for the purpose of inducing the landlords to place themselves between the people on the one side and the Protestant clergy on the other. The ecclesiastical property of Ireland, therefore, were it actually at our disposal, is considerably greater than the sum actually enjoyed by the Established Church. This being the relation between the members of the Established Church and the people at large, are there any other circumstances which tend to heighten the effect of this arrangement? Now, in my opinion, there is undoubtedly this important circumstance, that those to whose enjoyment the whole of this property is devoted form the wealthy class of the community. That is to say, they comprise the great bulk of the wealth of the community—the class, as must, of course, be observed, the best able to make provision for its own spiritual wants; whereas the most numerous portion of the population of Ireland have among them almost the entire poverty of the country. That is the position of those who by the conclusion to be drawn from the speech of my hon. Friend opposite (Mr. Gathorne Hardy) are satisfactorily provided for, but whose position, looking at the question in an abstract point of view, I cannot regard in the same light. The hon. Member has dwelt with great force and with great ingenuity upon all the arguments which for a long period of time have been made available, and made available, I am bound to say, by persons of great authority, to prove that which he disclaims—and let him have the full benefit of the disclaimer—but that which I conceive to be the legitimate deduction to be drawn from his speech—namely, that after a due allowance for human imperfections, the position of the Irish Church is satisfactory. The hon. Gentleman says that this Motion is an attack upon the Established Church of England, and that the Irish Church is selected for this attack because it is an outwork of the English Establishment. I have, of course, no right to complain of the hon. Member, or of any one else, for employing such an argument if he thinks it will support his views, but those who look at this country as one enjoying free institutions, and those who believe that the institutions of this country have their most solid and most indisputable foundation in the general approval of the public, will be slow to assent to the argument employed by the hon. Gentleman. On the contrary, they might be disposed to say that that argument is capable of being inverted. I do not believe that the Church in England is in the slightest degree weakened by the existence of a different Church established in Scotland, although in the present case there is no question raised as to the existence of a rival Established Church, the only question before the House is whether the exclusive possession of the ecclesiastical property of the country by the Established Church of Ireland is satisfactory. I am bound to express my belief that the English Established Church is in a much stronger position than it would be if across the border there existed an Established Church precisely agreeing with it in every particular of doctrine, discipline, and government, yet representing the faith of only one-eighth or one-ninth of the population. I must, therefore, decline assenting to the belief entertained by the hon. Gentleman that an ulterior intention of attacking the Established Church of England is a fair or natural deduction to be drawn from a Resolution affirming only the unsatisfactory state of the Irish Established Church. Then the hon. Member falls back upon another argument, and asserts that the Act of Union is a perpetually binding contract. His doctrine is that by the Act of Union the Protestant people of England bound themselves to the

Protestant minority of Ireland perpetually to maintain the Established Church in that country, with a view to supplying the spiritual wants of that Protestant minority. I am bound to say that I must differ from the doctrine to which the hon. Member appears to incline — that the Protestants in Ireland or the members of the Established Church in any one of the three kingdoms—for I believe them to be all on the same footing — are solely entitled to have provision made for their spiritual wants without any regard being paid to the requirements of the remaining portion of the population. Neither our Constitution nor our history will warrant such a conclusion. There is not the slightest doubt that if the Church of England is a national church, and that if the conditions upon which the ecclesiastical endowments are held were altered at the Reformation, that alteration was made mainly with the view that those endowments should be intrusted to a body ministering to the wants of a great majority of the people. I am bound to add my belief that those who directed the government of this country in the reign of Queen Elizabeth acted on the firm conviction that that which had happened in England would happen in Ireland, and they would, probably, be hardly less surprised than is my hon. Friend the Member for Swansea if they could look down the vista of time and see that in the year 1864 the result of all their labours had been that, after 300 years, the Church which they endowed and established ministered to the religious wants of only one-eighth or one-ninth part of the community. Before quitting the Act of Union, I may say that I do not deny the importance of such great statutes. In one sense they may be regarded as the landmarks of our Constitution. The first responsibility of every Legislature in every age must be to adapt the laws and institutions of the country to the wants of the country which it governs, and it would indeed be a miserable excuse—nay, more, the hon. Member himself, I feel certain, would be the last man to urge it—if we were to say that, although we did not think an institution was beneficial, we thought it ought to be maintained, and we would maintain it because it was made by a Parliament of men now dead, who while alive were not gifted with second-sight, and who were unable to foretell the circumstances in which we should be placed. Sir, I admit it is very natural to say, "We must not be in a hurry in these matters, we must not expect the rapid wholesale conversion of a country." I think the hon. Member for Leominster considers the work of the Church of Ireland to be that of a Missionary Church. He distinctly intimated the opinion, and I confess I agree with him. That appears to me to be far more rational than the contrary opinion that the members of that Church are a privileged body, to be endowed, while all else are to be left to shift for themselves. But it is very material, after the lapse of so many generations and several centuries, that we should consider what progress has been made in this matter. In the latter part of the 17th century an estimate was made by Sir William Petty of the relative strength of Protestants and Roman Catholics in Ireland. I now take all classes of Protestants together for the purpose of more convenient comparison, and I find the result he arrived at was—Roman Catholics, 800,000; Protestants, 300,000. The date of that estimate was followed by a century of application of most rigid penal laws. There is not, I apprehend, the least doubt that as regards particular classes of society those penal laws to a certain extent did their work, but yet they failed to impress the mass of the population. And now we come to the year 1834, the first year of any trustworthy and accurate religious enumeration of the people of Ireland, and there we find that those who were represented in the time of Sir William Petty by 800,000 and 300,000, had come to be respectively 6,400,000 of Roman Catholics and 1,500,000 of Protestants of various denominations. If the proportion between Roman Catholics and Protestants that existed in the time of Sir William Petty had been maintained, the Protestants of 1834 ought not to have been 1,500,000, but 2,400,000. So far, therefore, under the operation of the system of law then established, although aided by the severest pressure of the power of the civil Government—so far were we from making progress in the direction which upon every religious ground we might desire, that much ground had actually been lost, and the proportion of Protestants to Roman Catholics was more unfavourable than it had been 150 years before. The hon. Member adverted to the Census of 1861, and he paid a compliment to the Churchmen of Ireland for their readiness to have the real figures fairly stated and made known. I agree with him as to that. And undoubtedly we find that the proportion of Protestants to Roman Catholics in 1861 is somewhat less unfavourable than it had been in 1834, for now, while the Roman Catholics are 4,500,000, the Protestants are 1,300,000. But what has happened in the interval? A famine of unequal and awful pressure has decimated the ranks of the majority of the nation, and simultaneously with that famine the vastly extended settlements of America opened the arms of that continent wider and wider to invite the poverty of Ireland across the Atlantic to partake of her abundance. Thousands, tens of thousands, hundreds of thousands year by year quitted the ports of this country in order to settle and establish themselves in America. Of these it cannot be for one moment doubted that the vast mass who had reduced the population of Ireland by something like one-third did not in any degree, as regards religious faith, represent the entire population of the country. It cannot be doubted but that it consisted, not altogether, indeed, but in an overwhelming proportion of the Roman Catholic population. It is a matter of opinion, but I am bound to say it does appear to me, when we take into view the immensely powerful operation, first of all, of the famine, and still more of the emigration, that it is impossible to believe that the slight change which took place between 1834 and 1861 in the proportions of the respective religious communities indicates any real advance of a definite or measurable kind of the Protestant population as compared with the Roman Catholics. I am bound to say that in the times in which we live it is not too hastily to be assumed that the exclusive and peculiar position of the Irish Established Church is to be regarded as necessarily useful to the progress of Protestantism. No doubt it relieves members of the Protestant Church in a great degree from the duty and business of making provision for their own spiritual requirements; but it is a mistake to suppose that the exclusive establishment of one religion is in all circumstances favourable to the progress of that religion. I am quite sure, if we could suppose such a thing as the establishment of the Roman Catholic religion at this moment in this country, that it would be anything but favourable to the progress of the Roman Catholic religion here. The case in Ireland may not be so strong as in the rather violent supposition I have just made, but it may serve to illustrate my suggestion that we are incurring some degree of danger when we hastily assume that, under all circumstances, the aid of the civil Government, in addition to the endowments of the country, is favourable to the propagation of a particular form of religion irrespective of all the other circumstances of the country. In other times, and perhaps in other places, it has been said that the exclusive establishment of the Protestant Church in Ireland is necessary for the maintenance of loyalty and order in that country. We have not heared that argument to-night and I believe we shall not hear it. There can be no more fatal error on the part of those who are charged with the government of a country than to do acts or to make provisions which imply that loyalty to the laws, to the Throne, and to the institutions of the country is the particular and exclusive property of a small minority of the people. In my opinion, no more certain specific for the propagation of disloyalty can be suggested than the use of such language. Then the hon. Member says that there is no surplus available from the property of the Irish Established Church. I then ask myself how does the hon. Member measure a surplus? What is the criterion by which he arrives at it? Is it admitted that the provision for the Established Church in Scotland relatively to the number of its members, and the provision for the Established Church of England relatively to the number of its members are liberal provisions? I think it is. But this is beyond doubt —that the provision of the Established Church in Ireland, although the members of that Church represent a far greater average of wealth than the Church of England or the Church of Scotland, yet the provision of the Established Church of Ireland represents a larger average of public endowment for the members of that Church than do either of the other Churches. It is not necessary to descend to statistics, but not far short of £1 per head, I imagine, would be the quota given by the ecclesiastical property of Ireland, without taking into consideration the 25 per cent, now in the hands of the landlords of Ireland; while I do not think any estimate fairly made of the property of the Established Church of England would give more than something like

7*s*. or 8*s*. a head as the quota provided by endowments for the maintenance of the Church. But, unhappily, in the case of Ireland, we are also met with this difficulty. It is not upon the question of what the surplus would be if the endowments of the Church were distributed equally over the country. The hon. Member himself alluded to the immense disparity in that respect, the immense inequality which prevailed in different parts of Ireland. You have towns in Ireland presenting, perhaps not in the same degree, but still, I apprehend, to a certain degree, the same deficiencies in the means of spiritual instruction, as compared with the Church population, as is to be found in this country, and on the other hand you have large portions of the country in which there are equally large and liberal endowments, while the Church population can hardly be said to exist at all. It is sometimes the practice to call this an abuse, and to say there would be a remedy if you would adopt the principle of re-distribution—if you would take all the tithes and estates of the Church in Ireland, throw them into hotch-potch, and then re-distribute them substantially according to the proportions in which the Church populations is distributed over the face of the country. I must confess it appears to me that there are the greatest difficulties not only in practice, but also in principle, to the application of any such remedy. I can hardly imagine that the population of Ireland—especially of the provinces of Munster and Connaught, where the Church population is about 5 per cent of the whole—would be content to see the tithes and endowments of those provinces abstracted in order that they might be carried into Ulster, where the Church has one-fifth of the population, or into Leinster, where it has one-eighth of the population. If that can be done, at least, I know of no Government that has ever yet been bold enough to propose such an act. Some steps, some slight steps, have been taken in that direction; but, in the main, the endowments and the tithes still remain locally applied, and I do not hesitate to say that I believe it would be not only inexpedient, but unjust, especially in the circumstances of Ireland, to interfere with the general application of the principle of local endowments. But if the principle of local distribution and enjoyment of endowments and tithes is sound, then the Church in its present exclusive possession of endowments is doomed, I fear, to the perpetual exhibition of a painful anomaly. For what can be a greater anomaly than that of a clergy appointed to do the work of shepherds of souls, while in many parishes of Connaught and Munster their flocks are to be reckoned, not by tens, but by units, thus presenting a most painful contrast—painful to every feeling mind, painful, I am convinced, to those clergy themselves — the contrast between the actual state of things and a National church endowed for the spiritual wants of the country. The hon. Gentleman in his argument, I am bound to say, has not maintained the proposition that tithes are the property of the landlord. But that is a proposition that is commonly advanced. It is a proposition commonly maintained, that tithes are not paid by the cultivator of the soil, but are paid by the landlord, and therefore that entitles the tithes to be applied exclusively to the maintenance of the system which, in the great majority of cases, is the religion of the landlord. But I apprehend it to be perfectly clear that tithes while not the property of the agriculturalists are not the property of the landlord either, but that they are property subject to restraint and conditions, and for the right disposal of which the country and the Legislature of the country are responsible, and which considered as property, undoubtedly, if their hands were free, in any new case it would be their duty to apply for the spiritual benefit of the largest and the neediest portion of the community. All this appears to me to indicate in the present position of the Church of Ireland inherent elements which show that her difficulties cannot be surmounted by the wisdom of her rulers or by the piety and devotion of her clergy, but that they are essential elements of a false position. All this I say without in the slightest degree being able to point out, any more than hon. Gentlemen who have preceded me have pointed out, what ought to be done with respect to the Church of Ireland. I have spoken entirely with reference to her present position as the exclusive possessor of the largest endowments of the country, and I confess I am obliged to come to the conclusion to which the argument of the hon. Gentleman (Mr. Hardy) seems to me to lead, that this is an unsatisfactory state of things. My hon. Friend says that this unsatisfactory state of things calls for the early attention of the Government. What is the meaning of these words? Now, we cannot take exception to them on the ground that they are obscure. No doubt the meaning of the first part of the Resolution may be obscure, for, of course, we are to read it according to its words, and not according to the speech of my hon. Friend; but there can be no doubt as to the meaning of the second part. It clearly says that within a very short period—if not in the dying days of this Parliament—the executive Government of the country ought to grapple with these anomalies and inequalities which subsist in the ecclesiastial state of Ireland, and propose a measure for the purpose of settling them. Is that so? What are the circumstances which determine the duty of a Government to grapple with a great national question of first-rate difficulty and importance? The hon. Member who preceded me stated, I think with great force, the many difficulties which we have here to encounter. But, above all, I dwell upon this fact, that neither the hon. Member who moved the Resolution nor the hon. Member for Tralee, who seconded it, while they described the existing evils in terms of a sufficiently strong nature, pointed out a remedy. The whole question is, what is the remedy? I must say, I thought there was the greatest force in what fell from the hon. Member for Leominster when he came to discuss the nature of the remedy. We no sooner come to look upon this question practically than we light upon a whole nest of problems of the utmost political difficulty. This is a subject not to be dealt with in schools or in the closets of philosophers. It is not to be dealt with in the debating societies of politicians. Abstract justice, irrespective of the circumstances of men, might dictate the adoption of measures which, upon the whole, would form, perhaps, as near an approximation of what was fair and equitable as human nature would permit us to adopt; but we live in a country where the course of policy is to be determined by the actual feelings of the country itself. And what are the circumstances under which the Government is to undertake the settlement of the question? Look at the success of those who have gone before us. The earliest dealing with this question was at the period of the Union, when it was the enlightened intention of Mr. Pitt to retain the Established Church in the possession of her privileges and endowments, but to make suitable provision for the Roman Catholic clergy by the side of that Established Church. I cannot concur in the censures which have been passed on Mr. Pitt for the non-fulfilment of that intention. Why did he fail? Because it was beyond his power, because the views represented in the opinions of King George III., who both in his virtues and his errors was a king eminently national, and who represented the convictions of his countrymen—the views I say, of which King George was the centre, were too strong for Mr. Pitt to overcome. At a subsequent period the House of Commons showed its disposition to adopt mild and healing measures—without any interference with the temporal privileges of the Established Church—supplying a provision for the Roman Catholic clergy. But these propositions never received the sanction of Parliament, and it is fair to add that if they failed it was not on account of an opposition such as might, perhaps, have been expected from the vast bulk of those who opposed the concession of privileges to the Roman Catholics. Do not let us forget that we are not dealing with a question of money alone. The endowment of a church is undoubtedly accompanied with restraints—I will not say with burdens—and to those restraints objections have been made by the Roman Catholic clergy, and a doubt has arisen, and is gathering strength from year to year, as to the propriety of accepting any such endowment accompanied by its restraints. Nay, if we are rightly informed, these doubts have reached such a point that the Roman Catholic clergy not only do not desire but would reject and repudiate any share in the endowment of their Church. What, then, is a Government to do with respect to this question? My hon. Friend will not tell me that it will be consistent with the duty of the Government to frame a Bill and throw it on the table to take its chance, and say, "We have done our part; the responsibility rests with the House." That is not the mode in which we should proceed with such a question. But where are the materials with which my hon. Friend would proceed to work? I suppose him to be in the position of the Government, and to have introduced his Bill. What support does he think he would receive? Would the Presbyterians of Scotland readily support a measure which transferred the endowments of Ireland to the Roman Catholic Clergy? Does he think the Nonconformists of England would support him? Were he on the Treasury Bench, what support does he think such a project would receive with the hon. Member for Sheffield (Mr. Hadfield) at his post? But it may be said there is another mode of proceeding: you may transfer these endowments from religious to secular purposes. I am bound to say that, in my belief, the mind of the country is against such a project, and I think my hon. Friend would find this a more difficult proposal still. Could he, by the force of his own influence and authority, undertake to heal all these wounds, and solve all these difficulties? He must have men, he must have representatives of the people, he must have the people out of doors. On what plan, by what mode of proceeding, does he expect to be able to unite such a force of public opinion as would enable him, I do not say to pursue this or that particular method of dealing with the question, but to substitute for the present state of things another which would be essentially better? But if he is not prepared to assist us to materials, I confidently expect his assent to my next proposition. Surely it is not consistent with the first elements of the duty of a Government to promote the agitation of a question in this country, and to rake up all the embers of former animosities. [An hon. MEMBER here made an observation across the table which did not reach the Gallery.] What I am doing I can assure the hon. Member is simply performing my duty as a Member of this House, very imperfectly, no doubt, and giving my opinion on the Motion before us in common with other Gentlemen, and in such a manner, I hope, as does not offend the personal feelings of anyone. It is a serious thing for Governments to deal lightly with such questions. We are not without lessons from the history both of this and other questions of the same sort within the last twenty years. This question was taken up in 1834 and 1835 by the Liberal party of this country, then possessed of an ascendancy — the remains of the great triumph of the Reform Bill—such, perhaps, as it has enjoyed at no other period. Frankly, I must say, looking back to the proceedings of those days, and endeavouring to form an impartial judgment upon them, the Liberal party boldly cast in its lot with the fortunes of this question and with the feelings of the Irish people, and well and stoutly was the battle fought. But the result tended seriously to damage the power and strength of the Liberal party in this country. I do not say that that is a reason why the question should not be taken up; but the remembrance of one great repulse and of one signal defeat, for such it was, after a campaign of several years, is a serious warning to those who might be disposed prematurely to revive this question. The first question for a Government is whether what they can do will tend to the good of the people over whose interests they are in an especial manner appointed to watch. The answer to that question must govern their conduct; and it will not do for a Government to shape their conduct according to anything extraneous to that answer. If they could see their way with reasonable probability to the attainment of a satisfactory end it would be their duty to grapple with all the difficulties of the case. It would be their duty to consider —whether surplus or no surplus—what obligations of the Act of Union remain to be fulfilled, and how they ought to be performed. It would be their duty to consider whether in the event of any change, any modification, in the Established Church, the property of that Church ought to be applied in one way or another. But it is not their duty to consider these questions at all—it is not their duty to propagate one opinion or another on the subject, unless they see their way, by casting their influence into the scale, to bring about a state of things in consonance with the general principles of justice, the welfare of the whole community, and particularly with the feelings and happiness of the people of Ireland. The dictates of propriety and good sense must govern the proceedings of any Administration which means to do its duty to the country. These principles must govern us on this occasion, whether or not we may be able to deny the proposition of the hon. Gentleman with reference to the position of the Irish Church; and I, for one, am not able to deny it. We, therefore, feel that we ought to decline to follow him into the lobby, and declare that it is the duty of the Government to give their early attention to the subject; because, if we gave a vote to that effect, we should be committing one of the gravest offences of which a Government could be guilty—namely, giving a deliberate, a solemn, promise to the country, which promise it would be out of our power to fulfil.

Mr. WHITESIDE: Sir, the speech which the right hon. Gentleman has just delivered was well deserving of our undivided attention. But there were one or two observations made by the hon. Gentleman who introduced this question, and one or two assertions made by him which I think demand our special notice. Now, the form and words of the hon. Gentleman's Resolution are of no importance whatever. The real object which we have, is to discover what is the purpose of the hon. Gentleman in making this Motion. The terms of this Motion, made from time to time, varied according to the failing fortunes of his party. A few years ago, on a summer night, I heard a Gentleman who then represented Rochdale (Mr. Edward Miall) make a Motion in a speech to which I listened with great interest, never having heard before the opinions of the English Puritan so thoroughly represented in Parliament. I was informed that the Gentleman in question was a leading Nonconformist in this country. He spoke with great calmness, and apparently with an air of philosophic candour. He temperately disposed of the Irish Church by consigning it to the Incumbered Estates Court to be sold by auction, and proposed to appropriate the funds arising from it to the erection of lunatic asylums or some kindred establishments. Now that was the notion of the hon. Gentleman; and the question then arose as to who ought to be the first inmate of the lunatic asylum so to be erected. But there was a remarkable sentence, though a short one, uttered at the end of his revolutionary speech, to which I wish to call the attention of the House. When the hon. Gentleman had thus disposed of the Irish Church property, the glebes, its lands, and tithe rents, one question still remained for solution. What was to be done with the sacred edifices? The hon. Gentleman, in the spirit of a Christian, concluded his speech by saying perhaps the most satisfactory arrangement that could be made in regard to the sacred edifices would be to leave them to the believers in the Church. Now, among those who supported the Motion of the hon. Gentleman to whom I am referring, I find the name "Mr. Dillwyn." The hon. Member now brings forward a Motion which attacks in terms as indefinite as the Chancellor of the Exchequer could desire the Church of England in Ireland. There is certainly no peculiar point or meaning to be attached to the Motion if it is only to be interpreted by the hon. Gentleman's language this evening; but if we interpret it by the vote which he gave on this question on the occasion to which I have referred, it means the spoliation and destruction of the Established Church in Ireland; with some doubt whether he would allow the Protestants in that country even one sacred edifice in which to worship. Soon after the hon. Gentleman who had represented Rochdale had made his speech upon this question I received a letter from a gentleman residing in Rochdale—the vicar of that place—with whom I was not then acquainted, but who intimated the opinion that that same hon. Member would not be allowed to repeat in Parliament the speech which he had then made as Member for Rochdale. I doubt very much if the sagacious Gentleman who now represents Rochdale (Mr. Cobden) would deliver a speech in the revolutionary strain of the Gentleman whom he has succeeded. I have heard to-night the hon. Member for Swansea use the words spiritual corruption in the fact of a certain bishop appointing his own son or nephew rector of a parish in his diocese. Now, when the hon. Gentleman gives way to feelings of such virtuous indignation at such nepotism, I beg of him to expand his political vision, and to look around him at the conduct of certain Judges and Chancellors, to whom he gives his political support, before he begins to moralize in an affected tone of hypocritical lamentation upon the corruption of the Church in Ireland. The hon. Gentleman has been very properly rebuked by the right hon. Baronet the Home Secretary, when he presumed to disparage the character of the late Primate of Ireland, and to speak of the enormous wealth of that eminent dignitary. Ah! but which of the nobility and gentry has disposed of their large incomes as well as he has done? In every action of his virtuous life he displayed a consciousness of his being answerable to a Higher Power, and in the performance of works of munificent charity, piety, and zeal, he spent a long and honoured life. When at length he had gone to receive his final reward his remains were followed by 600 gentlemen, amongst whom walked the head of the Church of Rome in Ireland as well of the head of the Church in Scotland in that country, who thus testified a respect to the Primate's memory in which I am afraid the hon. Member would not join. The hon. Member for Swansea also said that various Resolutions upon this subject have been passed from time to time; nevertheless, nothing had ever been done to relieve the Roman Catholics of Ireland in regard to the property of the Church. Observe, it is immaterial for the purpose of my argument, but, I ask, is it true to say that the abolition of church rates was nothing, that the Church Temporalities Act was nothing, that the abolition of Church cess was nothing? Was it an accurate statement that the abolition of ministers' money was no relief to the Irish Catholics, particularly to those who resided in the South of Ireland? I remember quitting this House with a Roman Catholic gentleman on the night that the question of ministers' money was settled, when he said to me, "Your party seem angry with the Vote of to-night; but if you were wise you would rather rejoice, for this is the last practical grievance we can complain of before Parliament." Well, all these measures have been passed for the benefit of the Roman Catholics. The tithe has been changed into a rent-charge, and the burden has thus been shifted from the tenant to the landlord. The landlords certainly obtained a bonus, but I am happy to say that many of them have declined to accept of the 25 per cent, considering that it is too much for a collection that is so very easy. The University of Dublin refuses to receive it. Now, as to the Church lands, what cause of complaint have you? If there were a tenant of the Church lands outside the door, he would say to the hon. Gentleman, "I implore you to hold your tongues, for we are as happy as we could desire to be." They heard of Irish grievances—of landlords exterminating their tenants—of the want of tenant-right—of the difficulty of purchasing land in Ireland—and of the impossibility of the people obtaining leases. But the bishops have adopted a custom of renewing the leases of their tenants, which now amounts to an equitable title, and they enable the occupiers of the land to purchase ultimately the fee simple of their holdings through the medium of the Church Temporalities Act. More than two-thirds of the tenants of the Church in Ireland have succeeded in purchasing the fee simple of their land. The remainder will, no doubt, follow in course of time the good example set them, and then, indeed, I suppose you will have a political grievance to complain of—namely, that the tenants of the Church lands are more comfortable, happy, and more prosperous than the tenants of any other landed proprietor in Ireland. And this is the case for immediate legislation—to relieve the suffering tenants of Ireland! But to come to the principle of the Motion. Is it, I ask, true to say that nothing has been done for the Roman Catholics in Ireland? The Irish Parliament gave the munificent sum of £8,000 a year to the College of Maynooth, when the population of Ireland amounted to 8,000,000. The English Parliament gives £30,000 to the same institution, when the population is scarcely more than 5,000,000. The late celebrated Dr. Doyle merely asked for a grant of £25,000 a year for schools in Ireland. The British Government grants £300,000 a year for the education of the Irish youth, £240,000 of which sum, according to the Secretary of the Colonies (Mr. Cardwell), goes exclusively for the benefit of the Roman Catholics. The Roman Catholics are now permitted to send their chaplains into the workhouses, the army, and the prisons; and I venture to say, that since the Union the British Parliament has given no less than £300,000 a year to those who never had a single shilling before. Is it, then, true to say that nothing has been done for the Roman Catholics of Ireland? The hon. Member for Swansea said that the Motion of the hon. Member for Poole was merely one for a re-arrangement, but that his was for restitution. Restitution for what? restitution to whom? Now, if the hon. Gentleman's argument is at all intelligible, it means the spoliation of the Church and the handing over the plunder to those to whom it never belonged, and who never had any equitable or legal title to it. Then the hon. Gentleman is not satisfied with having given his own views upon Church property, but he actually ascended into a question of a spiritual character. I should not be surprised if Roman Catholics and Protestants combined to attack him. He says, speaking of the Roman Catholic Church, this is the Church which first took root in Ireland. The hon. Gentlemen has made the discovery that the Island of Saints was only Christianized in 1106. Now if the other arguments of the hon. Gentleman were equally true and applicable, he would be a most valuable instructor to us all. I hope, however, that the hon. Gentleman will do me the favour of reading the writings of some of my constituents in the Irish language; for example, the *Confession*, or the *Hymns of St. Patrick*, which he will find in the library of this House. The hon. Gentleman, after perusing such works, would soon find what the old creeds of the old Catholic Church of Ireland were. We venerate that Church whilst speaking of it; and I can tell the hon. Gentleman that the last act of that same Primate, of whose character he spoke with such levity, was to dedicate a sum of money to the translation of the celebrated *Book of Armagh*, which was written in the Irish tongue in the 6th century, and which begins with a pure version of the four Gospels—Matthew, Mark, Luke, and John, for the instruction of those who, according to the hon. Gentleman's peculiar notions of history, never heard of Christianity until the commencement of the 12th century. Our arguments with regard to the Established Church are not to be forgotten, though I do not sav it touches the question. Speaking of that Church with respect and veneration, as an ancient, primitive, and Apostolic Church, our argument is that every record that is brought to light and translated and published to the world, shows that the Church of England, as it now exists, does maintain the ancient truth as held by that Church. You may tell me that other things have since been developed; but we reject the theory of development and stand on our ancient faith. In reply to the arguments of the secession of the bishops—I listened to them in silence—I say that the bishops who sat in the House of Lords in Elizabeth's time were confessed and admitted to be the ancient Catholic Bishops of Ireland. They were learned men—well taught in their own profession—they believed in the changes that were then made, and I have a right to argue that those changes were consistent with the ancient primitive Catholic faith in Ireland. I believe that with the exception of one they adopted the change of faith, and sat in the House of Lords in Ireland to their lives end. Dr. Trench is the direct successor of that Archbishop of Dublin who witnessed the signature of the Charter at Runnymede by King John. Archbishop Wauchob, who was put into the picture of the Council of Trent, was no more the Archbishop of Armagh than I am. He was never in possession of the See, having merely been appointed in Rome as all antiquarians well know; but he was put in the show—he was the representative at the Council. It was Dowdall who was the real Primate of Armagh, recognized as such by Queen Mary, and who sat as such in the House of Lords. The next time the hon. Member for Swansea makes a speech on the subject of the Irish Church I hope he will remember that our Christianity began before the 12th century. The hon. Member also says that many petitions have been presented in reference to the Established Church; and that brings me to a very important part of the subject—namely, to consider what has originated the present Motion. I certainly expected to have seen to-night the hon. Member for Birmingham (Mr. Bright) in his place, and I am grievously disappointed to find that he is not here to maintain in fair and manly debate the opinion which he propounds in letters to the chief magistrate of Dublin stimulating him to form with a Liberal party in this country—it is a mistake to believe in its existence—a combination, I might call it a confederation, to attack the established institutions of the country. Why is he not here, I ask, to maintain his views? He has recently written—that which I presume has led to the petitions spoken of by the hon. Member for Swansea—as remarkable a letter as ever was penned, in which he says, that if the Lord Mayor of Dublin and the people of that country were to join a certain Liberal party in this country, they will all act together for the destruction of the law of primogeniture and the Established Church. That was a very natural and logical course for the hon. Member for Birmingham to take, and if I held the same opinions as he does I would do the same thing, because an Established Church and pure democracy cannot co-exist. Therefore if I were the advocate of pure democracy, I would argue exactly as he has done, and say that, "As I do not look with approval upon the order of knighthood or nobility I will get rid of an Established Church, which is a standing opposition to the principle which I maintain. I must clear her out of the way in order to overthrow the law of primogeniture, and establish a new Constitution in England which may be manufactured in Birmingham but is never heard of elsewhere." This reads us an important lesson, as it shows us how the Church is bound up with the property of the country, and how we ought to understand, as the friends of the Established Church, our duty towards her as her enemies know theirs when they attack the Established Church and the property of the country, under no matter what form of words. If we respect these two Institutions, it is our duty to resist this movement, no matter under what pretence, or under what excuse, or under what sophistry these attacks are covered or made. The hon. Gentleman the Member for Swansea concluded his speech without any plain or distinct idea of what he would suggest to the House to do. Having left us in the dark—not having said anything tangible on the real point he had to deal with—he cast it on Her Majesty's Government to find out what ought to be done, and they have placed the important duty of suggesting what ought to be done upon the right hon. Gentleman the Chancellor of the Exchequer, who has made as satisfactory a speech upon the subject as it was possible to imagine that he could deliver. The right hon. Baronet the Secretary of State for the Home Department has made a very manly and honourable statement, and I entirely agree in what he has said—namely, that to agree to the Motion in the sense of the Mover, it would directly tend to civil confusion—to the excitement of the worst feelings and passions in Ireland, and to the general disturbance of the country. Now, I believe that is as accurate a description of the consequences that would ensue from our carrying this Motion in the sense in which it is made as it is possible to conceive, and I think it reflects credit upon the right hon. Baronet that, entertaining that opinion, he has had the candour and the manliness to speak it in language that we can understand, and not to spoil it by hypocritical mystification. I thank the right hon. Baronet for having spoken the sense of the Government, for we ought to have some expression of opinion upon questions which touch the fundamental institutions of the country, and I take leave to say that when these institutions are in danger, if they have no established policy, no profound principles, or convictions upon such questions, they are not to be supplied by eloquence, however great, or ability however splendid. Those abilities might captivate and deceive, and that eloquence might mislead and delude, and nothing will atone for the want of clear and settled principles when great questions of this kind come directly before the House, and are in contest. I turn at once to the speech of the right hon. Gentleman the Chancellor of the Exchequer, and I ask the House to consider it and to ask themselves this question, what was the right hon. Gentleman's motive in making that extraordinary speech? The right hon. Gentleman censured my hon. Friend the Member for Leominster for saying that the condition of the Established Church in Ireland was not satisfactory. Now, my hon. Friend did not say it in the terms and in the manner in which the right hon. Gentleman has supposed; but I put the question to the right hon. Gentleman, is the Church in England satisfactory—is it satisfactory in London? What does the Bishop of London say upon that subject? Is it satisfactory in many of the parishes throughout the country? Is it satisfactory in Wales? Did not the gentleman who addressed an after-dinner assemblage at Swansea, given in honour of the county Member in proposing the health of the borough Member, state that as soon as the hon. Gentleman opposite (Mr. Dillwyn) has disposed of the Established Church in Ireland he would be the better able to attack the Established Church in Wales? I ask the right hon. Gentleman the Chancellor of the Exchequer if the Established Church in Wales is satisfactory? I demand, is it the proper mode of dealing with a great institution which is linked to the monarchy and planted in the soil—which is the mainstay of the monarchy, as I firmly believe—is it, I demand, the proper mode of dealing with the Established Church in this country to ask, as the right hon. Gentleman the Chancellor of the Exchequer commenced his speech by asking, whether the condition of the Established Church was satisfactory? Why, the condition of the Christian Church is scarcely satisfactory in any part of the world. It has still to contend against the vice, the follies, and the sins of mankind; and if it is sometimes baffled and defeated, he does not show himself, in my judgment, an exalted champion of the Established Church who relies on its comparative failure for its abolition. The right hon. Gentleman says that he votes for the first part of the Motion. The last time I had occasion to offer a feeble reply to the speech of the right hon. Gentleman it was on the subject of Parliamentary Reform. The right hon. Gentleman on that occasion made a speech in favour of the Motion of the hon. Member for Leeds (Mr. Baines), but he made it in such a manner—with so many profuse safeguards and involutions—that the hon. Member, who expected his support, found at the conclusion of the speech that the right hon. Gentleman meant nothing practical. It appeared to me then, and I am confirmed in the opinion by his speech to-night, that his object was to lay the foundation of another scheme, a policy of another and not very distant day, when he might be able to say the time had come, and a change of feeling had been provoked out of doors that would enable him to do then what he fears to attempt to do now. This question the right hon. Gentleman says is not for the present but for the future, and the House will observe that principle, that conviction, has nothing to do with the matter. It is not for the present but for the future. Now what does that mean? "A speech has been delivered by the Secretary of State for the Home Department with which I cannot agree; it must be qualified, it must be explained away and evaded, and the best way to evade an honest policy such as that of the right hon. Baronet is to say that the time has not yet come when I can with safety sever the Irish from the English Church, and call upon the Protestants of Ireland to be loyal, dutiful, and respectful when Parliament shall be found insensible to the obligations which past Parliaments have incurred, and, forgetful of their duty as statesmen and men of honour, adopt the part of political swindlers." I shall not allow the right hon. Gentleman to escape by his argument upon the Act of Union. He shall not mention the names of Pitt and Castlereagh, and imagine that he can shuffle out of a great statute like that by such evasions and quibbles as he has resorted to to-night. Fundamental Acts of the Legislature are not to be got rid of in that manner any more than the fundamental institutions of the Empire are to be placed in danger, not indeed by any present Act, not by any present Motion, but by laying the foundation and sowing the seeds of that future policy which will be adopted when the noble Viscount is no longer at the head of the Government to restrain or to direct it. The right hon. Gentleman says that he cannot negative the first part of the Resolution. It seems to me to be the infirmity of a gifted mind such as he possesses to be unable, when a direct question is submitted to his understanding, to take a direct course in regard to it. He cannot deny the Resolution, and the only way to act is to divide it into two halves, and having separated it into parts to say, "The first part of that Resolution will enable me to make a speech in which I can indicate a policy upon which I do not intend to act now, and I will resist the last part of it because I have no plan, because I have nothing to suggest. What is a Member of the Government to do under such circumstances except what I have done, to make as mischievous a speech as is possible. That I think is the course I ought to take." I am not complaining of the hon. Gentleman who moved the Resolution and his friends who are conscientiously opposed to the existence of an Established Church, but I do complain of a Minister who, himself the author of a book in defence of Church and State, when one branch of the Christian Church is attacked and in danger, delivers a speech every word of which is hostile to its existence when the right time comes for attacking it. The right hon. Gentleman proceeded to make a statement as to the property of the Church. Was that honest? In the calculation which he gave he seemed to me to have included only the members of the Church in Ireland, but in England every parishioner and all the Dissenting body. [The CHANCELLOR of the EXCHEQUER: No, no!] I think you did. That is my opinion. If it was worth my while to detain the House I could show by documents before me that the right hon. Gentleman has enormously exaggerated the property of the Church in Ireland. And why did he do so? Was it not for the purpose of exciting feelings against the Church? Was it in favour of the Church? Was it to protect it? Was it to preserve it? Was it not to draw by the hand of a master a picture of the poverty of the country and the wealth of the Church, and to leave for future consideration what should be done with the institution which, according to the terms of the speech, was condemned? I ask any one to consider what was the meaning of the picture which the right hon. Gentleman drew of the two provinces of Munster and Connaught. His argument, if I understand it, means this:—"The property there reserved for the Church is far beyond its necessities. It is far beyond the wants of the Church in that quarter. That being so, what are we to do with it? It is impossible for me to suggest what should be done with that property. That I leave to the councils of the future. I may hereafter be called upon to say what is to be done with it, but I wish that my speech should be on record in *Hansard*, showing that my argument was that that property may be abstracted from the Church for some purpose or other, either for the Roman Catholic Church or for some other object; but it is not to remain the property of the Church." If the argument did not mean that, what did it mean? I have from the Bishop of Cork and his chaplain an account of that diocese—which I cannot stop to read—very different from that which the right hon. Gentleman has given—an account of churches built, of flourishing congregations, and of the restoration of the ancient cathedral, partly by the piety and munificence of those attached to the Church and partly by aid obtained from other quarters. Take, too, the case of Connaught. I have from Lord Plunket's son and chaplain an account of that diocese directly contrary to that which the right hon. Gentleman has given. There are now flourishing congregations where formerly there were none; there are twice the number of clergymen and three times the number of churches. "How many," said the right hon. Gentleman, "are there of one persuasion and how many of another?" A great statesman said formerly that it was an evil day for mankind when questions of government and policy were to be decided by a majority told by the head. The men who do most good in Connaught and Munster; the men who are most active there—and I have heard Mr. Guinness describe the people as honest, faithful, and docile—would not go there if they could not enjoy the ministrations of a Christian Church. Abolish the Church, and all the men who are most useful, all the men who stimulate and reward industry would quit the country where they were not allowed that worship. ["Oh! oh!"] You say, "No;" I say, "Yes." The question is, how is it to be proved? I venture to say that I know more of the feeling of these gentlemen than you do. Enlightened men may smile at the notion of persons being regardful of the ministries of the Christian Church, but you know nothing of the Protestants of Ireland if you think that this is a matter of indifference to them. This argument as to the property of the Church, coming from the Chancellor of the Exchequer, fills me with amazement. The Attorney General sits near him; I should like to know whether he will endorse it. The Church is a corporation, and its property is vested in it as such. It got that property by no Act of Parliament. It got it at a period anterior to any Act of Parliament. The right hon. Gentleman is under the delusion, which has been participated in by many, that the property of the Church was spoliated from Rome. I will not open this book (holding a volume in his hand), but it contains the Patent Rolls published under the direction of the Master of the Rolls, and any Gentleman who looks at it will see in Ulster, for instance, estate after estate given to the Church upon condition that they should be enclosed, planted, and built upon. They have been enclosed, planted, and built upon. They have been possessed for 300 years, and the Chancellor of the Exchequer seeks about for arguments to cast doubts upon such a title as that. That is not all. It is true that the fortunes of the Church in Ireland went with the monarchy. As Queen Elizabeth passed through Cheapside the Lord Mayor presented her with a Bible. It was the principles of that book that she undertook to uphold, and those are the principles which the Church of Ireland has upheld since. If that policy was a mistake then the great councillors, the famous lawyers and the wise statesmen of that reign were all wrong when they endeavoured to extend to Ireland the institutions of this country, and to plant among that people a Church with a sufficient number of laymen, who might by their industry and energy maintain and support it. At a period when Ireland was saturated with blood, and her plains were turned into a wilderness, the Institutions of England, and among them the English Church, were planted on the Irish soil, and is it fair to ask that those institutions should now be destroyed? I grapple with those who say that the Protestants have not accomplished their object. Who built the towns in Ulster? The Protestants. Who established manufactures there? They did, and while there were only about fifty Protestants in the Province. There are nearly a million now. There is not a Protestant sect in Ireland which wishes to overthrow the Irish Church. Do you, let me ask, imagine that the Wesleyan Methodists, or the members of the Church of Scotland, who side by side fought in the same breach, will turn against her to accomplish the designs of a few Scotch Radicals and English voluntaries? The right hon. Gentleman opposite does not understand the feelings of those against whom this Motion is pointed. Whom does this flourishing Province of Ulster return to Parliament? Why, thirty Members, some of whom have sat in Parliament for two centuries. If hon. Gentlemen will read the list of representatives for Fermanagh in Parliament in the days of Oliver Cromwell they will find that it was then represented by Mr. John Cole, and Mr. John Cole is sitting here now. It is well you should understand that the principles and convictions which prevailed in that province in the reign of Elizabeth and James I. exist there still, and that on the day upon which the Church of the Protestants in Ireland is struck down the men by whom those convictions are maintained will be likely to become your deadly enemies. The Chancellor of the Exchequer says the argument derived from the Union is nothing, and has come to the conclusion that the Government of which he is a shining ornament can do nothing but sit where they are. But, says the right hon. Gentleman, "the time will come when your patience shall be rewarded if I can only induce you now to believe my mystical speech." That is the way in which I understand his argument; but what, I would ask, does he think of the Act of Settlement? When Charles II. was restored that great fundamental statute provided that the property of the Church, alienated from it in times of violence and confusion, should be restored. That was accordingly done, and I should like, therefore, to know how that Act of Parliament which settled the property of private individuals—including many of the highest of the Roman Catholic nobility and gentry, the Plunkets, the Gormanstowns, and the Taafes—as well as of the Church, is to be disposed of. But passing over the Act of Settlement we come to the Act of Union. I am not here to say what were the intentions of Mr. Pitt at that period. But it is well known that the influential Roman Catholics, more particularly the bishops, privately supported the proposal. Lord Castlereagh, in introducing that measure, pledged the faith of England to the principle that if Ireland assented to the Union there should be one law and one Church for both countries, and that there could be no question of a numerical majority against the Church, because, after the passing of the Union there would be only one Church, and that the members in the whole United Kingdom should be regarded as being in a vast majority in favour of its protection. That principle is embodied in the fifth article of the Act of Union, which is declared to be fundamental, and Lord Lyndhurst, in speaking of it in a judicial judgment, pronounced it to be fundamental between the two nations. Yet we are told that it is in the power of the majority to overthrow this article of the Union. Now, all that I have to say to you is that the day you do so the Union is at an end. The evidence of Dr. Doyle went to show that, even according to the maxims of the Church of Rome itself, it would be impossible to meddle with the property of the Established Church thus settled, and the whole body of the Roman Catholic bishops signed a declaration to the same effect. That was the opinion of Mr. Blake, a distinguished Roman Catholic gentleman, and a friend of Lord Wellesley. I may also remind you that it was maintained by an eminent economist, who was at that time attached to the College of Maynooth, that according to the Roman canon law the Irish Church had acquired an indefeasible right to the property which it held. We now, however, gather from the Chancellor of the Exchequer that the whole question is to be re-opened, and that not for the purpose of carrying out any definite plan, but of encouraging all that mischief which the right hon. Gentleman the Secretary for the Home Department so graphically described. The speech of the Chancellor of the Exchequer is, I may add, calculated to separate him from the policy of the noble Viscount at the head of the Government, who stated in his conclusive reply to the Motion of Mr. Miall, to which I have already referred, in a manner worthy of the name he bears — for Sir James Temple was one of those who supported the Act which secured its property to the Church—that upon this question we must do with the Church property in England as in Ireland, and that that property cannot be diverted from the great purposes for which it was originally designed. I have no doubt the noble Lord will vindicate his consistency in this matter, and will not be induced to express approval of the ambiguous policy enunciated by the Chancellor of the Exchequer. It would be far more useful, far more beneficial for the Government to say plainly and unequivocally what they would do than to cause a question of this kind to agitate and vex the minds and feelings of all classes of the people of Ireland. The speech of the right hon. Gentleman was calculated to produce those results, but its effect was no doubt counteracted to some extent by the speech of the Secretary for the Home Department; and I have no doubt that the noble Viscount, if he speaks, will maintain the principles he has ever expressed, and will not prove himself capable of being acted upon by the fascinating influence of the Chancellor of the Exchequer. This is a very plain and easy question, touching the fundamental institutions of the Empire. My argument is based, not upon the numbers we may happen to have in any parish—though we have a greater number in most of the parishes now than at any former period—my argument is that the property of the Church belongs to it as an ancient corporation, linked with the Crown and linked with the peerage in the common bond of our free Constitution. And I trust sincerely that this Church, the United Church—one and the same, indivisible—in England and Ireland may long continue endeared to the affections and cherished in the hearts of the people.

Mr. GRANT DUFF said, from the bottom of my heart I congratulate my hon. Friend the Member for Swansea. If he does not carry his Motion, if he does not gain the present, he has, at least, gained the future. This debate will become historical, for in the speech of the Chancellor of the Exchequer I see the beginning of the end of the great Irish difficulty. The Chancellor of the Exchequer quite misconceived the object of my hon. Friend. His Motion points not at a Bill, but at an inquiry, and all the arguments directed against him on the supposition that he wished Government immediately to lay a measure upon the table are beside the mark. Turning, however, from the Chancellor of the Exchequer, who substantially agrees with us, I address myself to the speech of the right hon. Gentleman who has just sat down. The right hon. Gentleman called up the Union spectre, and alluded more especially to the 5th article. But, as has been pertinently asked—is the 5th article of the Union more sacred than the 4th? can it be so sacred, for did not the 4th article settle the proportion of power to be exercised by the two contracting parties in the Councils of the Empire? Well, then, has not the 4th article been altered? Did not the Tory predecessors of the right hon. Gentleman acquiesce in that alteration. Nay, did not they try to alter it more than it was altered? But, really, is it possible for any sane man to maintain the theory of the Union on which the right hon. Gentleman's argument is based? It is idle to argue against such a wild dream as this. The Union exists for the United Kingdom, not the United Kingdom for the Union. There must be somewhere a supreme authority, if mere force is not to decide all questions in the last resort, and over all our national affairs Parliament is necessarily omnipotent. This exaggerated veneration for the Irish Union sounds strange in the ears of a Scotchman when he remembers how the Scottish Union fared. How? Is it possible to maintain that the temporalities of the Irish Church were considered more sacred at the time of the union with Ireland than the heritable jurisdictions at the time of the union with Scotland? And did not the heritable jurisdictions go the same road that we hope to see the Irish Establishment go? There are two views with regard to this institution prevailing amongst its adherents and friends. The one party thinks that it is to some extent at least a missionary Church; the other thinks that it has no missionary duties, but exists for the promotion of the religious weal of its own people. Well, let us accept the view that the Irish Church is a missionary Church. How has she succeeded in her missionary enterprises? This champion of Protestantism may boast that, at the end of three centuries of existence, she has created about 4½ millions of the most determined Catholics in the world. If you compare the Catholicism of Ireland with that of France, or even of Spain, you will find one great difference. The educated class in France sits very lightly by its Catholicism, and vast numbers of persons who make "a good end," as the phrase is, are Catholics merely in name. Even in Spain, where the exterior duties of religion are more practised, you will find below the surface an extraordinary amount of indifferentism. How is it, then, that Ireland is in a different position, and that the Catholicism of her educated class is so earnest as to be almost aggressive? It is simply because the sagacity of English statesmen took care that, even after the penal laws were abolished, there should remain one grievance, which should fulfil the proverbial functions of a moderate persecution in stimulating religious zeal.

But remember, that even this precious result, in bringing about which so many millions of public money have been sunk, has not been attained by the mere action of the Irish Church. She has had at her back an immense host of supporters in England who have supplemented her efforts by largesses of the most splendid kind. You have the Hibernian Bible Society, and the Irish Evangelical Society, and the Scriptures Readers' Society, and the Church Education Society, and the Irish Society, and the Irish Church Missions, and I know not how many others. And all this good money, and good enthusiasm has done, what? It has helped the Irish Church to make the Irish masses more Catholic than the Castiles. The right hon. Gentleman said that the Irish Church had taken for its ensign an open Bible. How could he make so astounding an assertion, when he knew as well as I do that the Irish Church allowed 120 years to pass by before she translated the Bible into the Irish language? And when the Bible was translated, by whom was it done? Was it by one of the wealthy prelates of whom we have heard in this debate? Was it by a Church dignitary? Not at all. The good work was done at the expense of a layman. Now, let us look at the Irish Establishment, not in its missionary capacity, but as existing for the benefit of its own adherents. Does it present those features which enlightened persons who conscientiously support Established Churches look for in institutions of that kind. First, then, is it a useful engine in the support of order by conciliating to the State the affections of the great body of the people? Far from it. It is the Church of 11 per cent only of the population; and it is the Church almost exclusively of those sections of the population which are, by their own interests, already attached to the existing order of things. Secondly, does it supply religious consolation to those classes on whom voluntary contributions in support of their teachers fall most heavily? By no means; it is the Church of the great landowners, the bankers, the merchants. It is, so far as I know, the only Church in christendom of which it has been truly said that it takes for its motto, "I fill the rich, and the poor I send empty away." Thirdly, does the enormous apparatus for the religious instruction of the few produce any proportionate results? I submit that there is not a tittle of evidence that there is a greater percentage of virtue amongst the members of the Irish Church than amongst the adherents of any of the English or Scotch Protestant Dissenting bodies. Again, the Irish Church is, and ever has been, remarkable for the scantiness of its learning. How few Irish clergymen at this moment whose names have ever crossed St. George's Channel, and there are still fewer which have crossed the Straits of Dover. Perhaps those who have done most for learning, amongst living Irish ecclesiastics, are antiquarians like Dr. Reeves and Dr. Todd, of whom I wish to speak with the greatest respect. But the merits of a handful of men cannot be allowed to outweigh the shortcomings of so large a body. Again, the Church of Ireland contrasts very unfavourably with the Church of England in the production of men of exemplary and exceptional piety —like George Herbert. I am quite ready to let our opponents make the most of the fact that the Roman Catholic population has decreased in the last thirty years by nearly two millions. They have fallen from 6,430,000 to 4,500,000. They are welcome, I say, to make the best of this, and to go through all those pretty juggling tricks with figures, of which figures are always susceptible. The broad, hopeless fact still continues, that the disproportion between the two sects is perfectly enormous, and that there is not the slightest chance of any change being worked in it, by any of the ordinary or extraordinary agencies known to history, during the next hundred years. The case to be made out for the Church from the population returns may be now a little better, now a little worse, but it can never be good enough to merit serious consideration from men who are not blinded by prejudice. The statistics of this subject have, however, been so much ventilated in this debate that I will say no more about them. During the last 300 years, you have had three policies in Ireland. From Queen Elizabeth to William III., there was a policy of persecution—that failed. From William III. down to Catholic Emancipation, there was a policy of ascendancy — that failed too. Then timidly and tentatively you turned towards general endowment, and in 1845 Sir Robert Peel took a considerable step in that direction. It soon became clear, however, that the country would not follow you on that road, and in 1851 the storm of the Papal aggression nearly forced you to abandon your compromise. And if the Encyclical had been directed against this country in particular, instead of against civilization generally, the same difficulty might have occurred. Why not, then, try the only course you have not yet tried—general disendowment? I wish to know what explanation hon. M.P.'s opposite can give of the admitted failure of Protestantism in Ireland. Why has Protestantism not triumphed there? On my theory the explanation is quite simple. I say that your blundering legislation identified the sacred cause of Protestantism with a bad political system, and that the deserved odium which belonged to an engine of oppression made the good doctrines of the Reformation hateful to the Irish people. The Roman Catholic explanation is also intelligible enough, although wrong; but what is or can be the explanation of the right hon. Gentleman and his Friends? But, if we adopt general disendowment, what shall we do with the money? I take it for granted that Ireland will have a right to the whole sum, and in Ireland the extension and completion of the already very good system of primary education will have the first claim; the creation of a good middle class education, of which hardly any vestiges at present exist in Ireland, will have the second claim; the third claim would be for the extension of the higher education; and the fourth for all those civilizing agencies which supplement the effect of education. The policy which I suggest will have incidentally the good effect of getting rid of many difficulties; for instance, if the Irish Protestant Church is disendowed, the grant to Maynooth, the Regium Donum, and the grant to the Belfast Theological Professors, would all come to an end. It is hardly necessary to say that we have no right to interfere with any vested interests. All these would, of course, be scrupulously respected, and it would only be when the last person pecuniarily interested in keeping up this great abuse had departed, that the Irish people would enter into the possession of the last remnant of their rightful heritage. We do not wish the Government to take any immediate action in this matter. My hon. Friend's Resolution desires only consideration, not action. He would, I am sure, be perfectly satisfied if the Government were to announce its adhesion to the views expressed by the Chancellor of the Exchequer; but, if it make no such announcement, and leave it to be understood that he speaks only as an individual Member of the Cabinet, while the Secretary for the Home Department represents the opinions of most of his Colleagues, I must advise my hon. Friend the Member for Swansea to divide the House.

MR. COGAN said, the right hon. and learned Member for the University of Dublin (Mr. Whiteside) had made an admission which was striking, and might be prophetic. He stated that the arguments of the Chancellor of the Exchequer were fatal to the existence of the Church. The proposition of the hon. Member for Swansea was divided into two heads. The first was, that the present state of the Irish Church was unsatisfactory; the second, that the Government ought to inquire into and remedy that unsatisfactory condition. The Chancellor of the Exchequer had dealt with both branches of the question. With regard to the unsatisfactory state of the Irish Church, the right hon. Gentleman had placed it before the House in such a conclusive way that it was unnecessary to pursue the question. The right hon. and learned Member for the University of Dublin (Mr. Whiteside) said that inquiry meant destruction. He believed that there was something in this view, seeing that inquiry would disclose such anomalies in the Irish Church, as would convince the country that it ought not to be endured. But what would the friends of the Church say to this? He (Mr. Cogan) was at a loss to understand how a friend of the Church could put forward such an argument. Considering that the Parliament was in its expiring days, would it not be desirable to leave out the last portion of the Motion, and simply declare that the state of the Irish Church was in an unsatisfactory state? He believed that an overwhelming majority would affirm this proposition. The Chancellor of the Exchequer seemed to think that, as they had been baffled in their last attempt to deal with the subject, they should hesitate before they made another such attempt. But the question was waiting solution; and on it the Ministry must stand or fall. The duty of the Minister was to advocate great principles, irrespective of being in office or out of office. It was great principles that bound party together, and if the Government were wise, they would endeavour to enlist the sympathies of the Liberal Irish representatives and ally with them that large phalanx of Irish Members who had stood by them in every effort which had been made to promote the cause of civil and religious liberty. By doing so they would rally round them a strong party, but he would warn them that if they were not prepared to deal with important questions on great principles they could not expect to receive permanent support.

Mr. POLLARD-URQUHART said, that the noble Lord the Member for King's Lynn (Lord Stanley) had a short time ago stated that the Established Church in Ireland would not last long. He advised the Government to deal with the measure, to prevent those on the Opposition Benches from leaping over their heads in the matter.

Lord STANLEY said, the observation which he had made was that the question of the Irish Church would lead to considerable discussion.

Mr. POLLARD-URQUHART said, he concurred in the opinion of the Chancellor of the Exchequer, that every Government must be more or less guided by public opinion.

Sir FREDERICK HEYGATE said, in reference to the statements made by the hon. Member for Swansea as to certain appointments in the Irish Church, and with regard to the Bishop of Derry, to whom the hon. Member attributed so large a revenue, that the late Mr. O'Connell resisted the reduction of that bishop's income, because he was the only prelate in the Irish Church who advocated religious liberty.

Mr. GOSCHEN moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned." — (*Mr. Goschen.*)

Viscount PALMERSTON said, that so far as the Government were concerned, they were quite willing to abide by the decision of the House. If the House thought an adjournment desirable, the Government had no objection.

Question put. The House *divided* :— Ayes 221 ; Noes 106: Majority 115.

Debate *adjourned* till *Tuesday* 2nd May.

MORTGAGE DEBENTURES (*re-committed*) BILL—[Bill 72.]—COMMITTEE.

Order for Committee read.

The ATTORNEY GENERAL said, that he objected to the discussion of the clauses being taken at that late hour. Several of the clauses contained principles of the utmost importance, and, in his opinion, full of danger to those who might be invited to lend money upon the security offered. He would feel it his duty to propose Amendments when the proper opportunity for doing so presented itself.

Bill *considered* in Committee.

House *resumed.*

Committee report Progress ; to sit again on *Friday.*

EAST INDIA (GOVERNOR GENERAL'S POWERS, &c.) BILL—[Bill 76.]

COMMITTEE.

Order for Committee read.

Mr. VANSITTART said, that this Bill proposed to enlarge the powers of the Governor General for making laws and regulations in India, and to that he entertained no objection. He deeply regretted the result of recent operations in Bhootan, which reflected no lustre on our arms. He wished to know whether, a few months since, instructions had not been issued to Sir John Lawrence not to make any new appointments of greater value than £400 a year without communicating with the Home authorities? He could not reconcile this petty interference with the professed object of this Bill, which would confer extensive powers in important affairs upon the Governor General.

Sir CHARLES WOOD said, the operations in Bhootan had been undertaken at the recommendation of the Lieutenant Governor of Bengal, but the troops were not to occupy territory, but only to hold a line of forts to protect our own frontier. With regard to the second point, no new orders had been issued on the subject, but it had been from time immemorial the standing rule not to make any new appointments above a certain value without the sanction of the Home Government.

Bill *considered* in Committee.

House *resumed.*

Bill *reported*, without Amendment ; to be read 3°, on *Thursday.*

House adjourned at a quarter before One o'clock.

HOUSE OF COMMONS,

Wednesday, March 29, 1865.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Sheep, &c. Protection (Ireland) [43]; Sheep and Cattle [57]; Chemists and Druggists [Sir FitzRoy Kelly] [78]; Chemists and Druggists [Sir John Shelley] (No. 2) [84], and *referred to same Select Committee.*

Committee—Small Benefices (Ireland) Act (1860) Amendment * [13].

Report—Small Benefices (Ireland) Act (1860) Amendment * [13].

Considered as amended—Married Women's Property (Ireland) * [60].

Third Reading — Mutiny *; Consolidated Fund (£15,000,000),* and *passed.*

SHEEP, &c., PROTECTION (IRELAND) BILL—[BILL 43.]—SECOND READING.

Order for Second Reading read.

SIR FREDERICK HEYGATE, in moving the second reading of this Bill, said, that it was not brought forward with any view to the protection of game, but in the interest of the tenant farmers themselves. Great damage and loss was occasioned to the owners of sheep in Ireland by the enormous number of dogs which were at large in that country. From the earliest period of the day to the latest period of the night, all parts of the country swarmed with dogs, and many of the people seemed to think it impossible to perform the ordinary functions of life without having a dog at their heels. The dog had been called the friend of man; that was true, and in that sense the people of Ireland would never want friends; but he thought that in this case, as in some others, they might say, "Save me from my friends." He could best illustrate his case by reading extracts from some letters he had received. One gentleman said it was of very little use that wolves had been destroyed, for in that country they had what was equally obnoxious, an enormous multitude of useless dogs. Another gentleman, who was a medical man, complained that in going his rounds to see his patients he could not do so with safety, being constantly subject to the attacks of these animals. A gentleman from Belfast wrote that half-starved curs roamed about the streets, and were very dangerous to children and old persons, and that he was constantly afraid of being attacked by these animals in the by-streets. The destruction of sheep that went on was hardly credible. Compensation had been demanded by the butchers of Londonderry for the destruction of sheep in the town-parks, and it had been shown that in one district the butchers could not turn out their sheep in these parks, although surrounded by walls, without having them worried by dogs. A valuable Return had been moved for some time ago by the hon. Member for Clonmel (Mr. Bagwell), which would give some idea of the damage done by dogs to sheep. It appeared by that Return that in 1861 there were no less than 8,809 destroyed by dogs. In 1863 the number of sheep reported by the police as having been killed by dogs was 7,324. This, however, gave little idea of the number of sheep killed, because the Returns only showed the number of which the police had cognizance. Keepers of sheep were placed under a peculiar disadvantage in consequence of this nuisance of dogs being allowed to exist without any remedy, and their position was greatly aggravated by the fact of the Poison Prohibition Bill, which received the assent of Parliament and the Crown last year. He would now call attention to the number of dogs supposed to exist in the country, and this in itself gave rise to a very curious calculation. By the Census of 1861 the number of inhabited houses in Ireland reached nearly 1,000,000. Now it would be a very low average indeed to allow one dog to each house. [An hon. MEMBER: More likely two.] Some hon. Member said that two dogs to each house would be a fairer average; but allowing only one to each house, that would give 1,000,000 of dogs in the country. Let the House but compare that number with the amount of live stock in the country. According to Mr. Donnelly's Agricultural Return there were 3,300,000 head of cattle and 3,056,000 sheep, and 1,000,000 pigs. So that taking those Returns to be correct, there would be nearly one dog to every 3½ head of cattle, and one dog to every three sheep, and one dog to every pig. Those who were in favour of the prosperity of Ireland would see at once that the number of sheep and pigs would probably be very largely increased if the number of dogs in the country was reduced. Now, it was evident from the fertility of its soil, and the mildness of its climate, that Ireland was peculiarly adapted to the rearing of sheep. It was, therefore, of the utmost importance to that country that every encouragement should be given to the rearing and feeding of sheep, and to the sale and manufacture of wool. It appeared to him that his Bill would go far to effect those objects. He would, no doubt, be asked why he did not go to the Chancellor of the Exchequer and request him to put on the assessed taxes in Ireland? Now, he believed that every one who alluded to the statistics which had been recently brought before the House, and which had been disclosed before the Taxation Committee of Ireland, must allow that this was not the time for putting any additional taxes upon that country. Even if it were otherwise, he was prepared to show that the result of the imposition of the tax upon dogs in Ireland would be too trifling to justify any experiment of the kind by the Chancellor of the Exchequer. It appeared that the number of inhabited houses rated at £20 a year, which would be liable to the house duty, was only 30,000, and the number of horses not engaged in agricultural or other business, which would be liable to the assessed tax, was 33,000. The taxes, then, upon those two items, which formed more than a half of the English assessed taxes, would only amount in Ireland to £50,000 a year. What he proposed was rather in the nature of a registration fee than a tax. It might be said that it was a hard thing to put a tax or registration fee upon dogs in a country where there was no such thing as assessed taxes. But it should be recollected that in almost every country on the Continent power was given to each commune or municipality to impose a registration fee or tax upon dogs, in the interests of public health. In France the municipal councils were charged with certain duties with a view to the prevention of accidents arising from the multiplication of dogs, and in some cases very severe ordinances indeed were issued in reference to this subject. In May, 1845, for example, it was forbidden to allow more than a certain number of dogs to exist in a dwelling-house, by which the safety or the health of the inhabitants might be compromised. Neither were dogs allowed to go at large without muzzles, or without a plate attached to the neck of each dog, showing the name and abode of the owner. Full directions were also given to the mayor of the town what to do in the case of a person being bitten by a mad dog. In France generally a tax was imposed upon dogs for the benefit of each commune—such tax not to exceed ten francs, nor to be less than one franc. In Belgium, by the law of 1825, which had been repealed but was subsequently re-enacted, every dog was required to be registered, and commissioners were appointed to go round and inspect the different houses of the commune, with a view of compelling the enforcement of the law in this respect. The tax upon dogs in Belgium, as well as in the Grand Duchy of Baden, yielded a considerable revenue. Crossing the Atlantic, he found that in Massachusetts the inhabitants of each town were empowered to make such bye-laws as they thought necessary for their protection against the danger of dogs. Penalties not exceeding ten dollars were inflicted for offences against those bye-laws, and no person was allowed to keep more than two dogs. It was also required that every dog should carry a plate with the name of the owner and his abode inscribed upon it, and any dog without such an appendage might be killed. In Turkey it appeared there was no particular law against dogs, which swarmed in that country. The dogs, however, there acted the part of scavengers, and, curiously enough, it was said the disease of hydrophobia was utterly unknown. Now, his object was not to tax the country, but to impose such a registration fee as would have the effect of reducing the number of dogs. He proposed, too, that every dog should bear the name and residence of its owner. He did not think that the farmers of Ireland would grumble at a registration fee of 2*s.* 6*d.* on each dog. By an old law of George III. there was a tax of 10*s.* placed upon sporting dogs, and 2*s.* 6*d.* for every other kind of dog. He therefore only proposed to go back to the old legislation of the Irish Parliament in imposing this registration fee of 2*s.* 6*d.* on each dog, subjecting any person who shall not register his dog to a penalty not less than £2 nor more than £5. He had been pressed to make certain exemptions in the case of sporting and other dogs; but he did not think it advisable to assent to any. It was in the interest of the farmers and of the public health and safety that he introduced this Bill. Now, as to sporting dogs, if they only compared his Bill with the charge imposed upon such dogs in England, the gentlemen of Ireland would find that they were very well treated. According to his Bill a gentleman in Ireland with forty couple of hounds would have to pay only £10 a year; whereas the English gentleman was compelled to pay £48 a year, or, in the event of a composition, £39 12*s.* a year. He now came to the mode by which he proposed to carry out the provisions of his Bill;—and here he knew he would be met with the objection that it would make the police unpopular in Ireland to impose this additional duty upon them. But if the people saw that the police were enforcing the law with impartiality in what was for the interest of the public, he could not for one moment believe that it would make the police unpopular. The same objection was raised when it was proposed to give the police the power of collecting the excise; but the result had been such that the Chancellor of the Exchequer had said that since that time the law against smuggling had never been so well enforced as now or the work better done. The objection he thought not worth considering. He proposed that every person keeping a dog shall give notice thereof to the constabulary, who were to enter it in a book kept for that purpose; the constable was to transmit annually a copy of the entries and account of fees to the Clerk of the Poor Law Union; and he proposed to remunerate the constabulary for their additional labour by assigning to them a portion—two-fifths—of the fees. He was not much experienced in drawing up Acts of Parliament, and he was therefore willing to leave it to the Chief Secretary for Ireland and other hon. Members to make such moderate provisions in the Bill, so that something was done to abate the nuisance, as they might consider necessary. Almost daily he had received a large bundle of letters, especially from tenant farmers, medical men, and the inhabitants of towns, in favour of a measure of this kind, and he hoped the House would legislate upon the subject in a manner so as to get rid of the evil complained of. A remedy had been required for some years past, but he delayed bringing in a Bill for the compulsory registration of dogs until after a similar measure had been passed for the registration of births and deaths in Ireland; not wishing that the registration of the former should precede a registration for human beings. He hoped the House would read the Bill a second time.

Mr. BAGWELL seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Frederick Heygate.*)

Sir ROBERT PEEL said, that every hon. Gentleman who had been in Ireland was aware that a vast number of dogs were allowed to prowl about that country, and that they destroyed a large amount of property every year; indeed, the country was literally swarming with dogs. He believed that the Return moved for by the hon. Member for Clonmel was perfectly correct in stating that in one year alone 8,000 sheep were destroyed by dogs, that was no doubt within the actual number; and he particularly recollected that on one occasion the destruction of sheep was so numerous in Donegal that it was at first supposed to be the result of some systematic outrages against property, and the attention of the Government was called to the subject; but upon inquiry it was traced to the enormous quantity of dogs that were kept in the neighbourhood. The hon. Baronet had said that the number of dogs in Ireland might be taken to be 1,000,000; but he (Sir Robert Peel) considered there were a great many more; and if they calculated them as three to every two houses—which would be a fair calculation—there would be found to be between 2,000,000 and 3,000,000 dogs in Ireland at this time. The hon. Baronet said he did not want to have the assessed taxes extended to Ireland; and, indeed, it was quite evident that to impose an assessed tax upon dogs only would not pay the Government, and, therefore, some other machinery must be invented for taxing them, in order to correct the crying evil which every one admitted. But he asked those who had read the Bill whether they thought it possible that Parliament would assent to its provisions? The hon. Baronet wished to throw the duty upon the constabulary, and he had made a joke about the registration of births and deaths in Ireland; but let any one suppose what the police would have to do in keeping the accounts relative to between 2,000,000 and 3,000,000 dogs. They would not only have to register all the dogs in the country, but by the eighth clause they were required to be particularly careful not to register any puppy less than six months old. Now, the idea of the police going about the country with a veterinary surgeon, which he must do in order to ascertain the exact age of a puppy was ludicrous, because if they registered and charged for a dog under six months old they would become liable for some penalty themselves. He at once protested against the constabulary being so employed. He admitted the evil, but they must not attempt a remedy which would be infinitely more laborious than taking the census or collecting agricultural statistics. The constabulary would be constantly registering dogs, going about from house to house in search of them, and then to have to ascertain their ages—duties which would render any public functionary in Ireland most unpopular.

SIR FREDERICK HEYGATE said, it was only intended to register the owner's names.

SIR ROBERT PEEL said, the constabulary would have to keep the books, and do all the necessary work. By the third clause of the Bill the money received for registration was to pass through the hands of the constabulary and the clerks of the Poor Law unions, but there was no effectual check provided with respect to the receipts and disbursements. He decidedly objected to that proposal. He should be happy to amend the Bill in Committee, but he thought it would be almost impossible to do so satisfactorily. He had turned his attention to the subject, assisted by the Inspector General of Constabulary, and the latter had submitted to him provisions for a measure which might meet to some extent the evils complained of. The heads of proposals were as follows:—That no person should be allowed to keep a dog without a licence, and was subjected to a penalty if he did so; the licence to be issued by the Inland Board of Revenue, and supplied by all the distributors of stamps and postmasters, the charge to be 2*s.* 6*d.* for one dog, 2*s.* for two dogs, and so on, and 5*s.* above a certain number. The licences to be in force for three years, and to be filled up in due form by the clerks to the justices of the petty sessions districts, who should register them in a book, for which they should receive a fee of 6*d.*; the licence to be signed by one or more justices of the peace, and the books to be kept by the magistrates' clerks open to the inspection of every one who wished to inspect them. The owners to be liable to a penalty for damage done by their dogs if they were allowed to go at large unmuzzled; and any one finding a dog within his field or enclosure was to be at liberty to destroy him, and the owner, if discovered, should be made liable for any sheep destroyed by that dog. [Sir FREDERICK HEYGATE said, the owner was liable under the present law.] In that case the provision would not be required, but it might be desirable to re-enact it if any new Bill were introduced. It was proposed that the penalties should be recoverable at petty sessions. With regard to property destroyed by dogs, the owners of which were not known, he thought the value should be recoverable by grand jury presentment. ["No, no!"] These were simply suggestions with the view of meeting a crying evil, and he thought if a Bill to such effect were submitted to the House with the sanction of the Treasury, it would be far more likely to meet the evil complained of than the present Bill, which he could not support, and which he trusted the hon. Baronet would withdraw.

COLONEL DICKSON said, there was no doubt that the subject was one of great importance to Ireland, but he could not concur in either of the propositions submitted to the House. He thought that the tax of 2*s.* 6*d.* for a dog was too small; in his opinion the amount ought to be 10*s.* for the first dog, 5*s.* for the second dog, and 2*s.* 6*d.* for every other dog. He agreed in thinking that the eighth clause should be struck out of the Bill, for he would rather place a tax on a puppy than upon a grown-up dog, as a man with a grown-up dog might have an affection for it, and be willing to pay the necessary tax for keeping it. He felt great regret in not being able to support the present Bill, but he hoped the right hon. Baronet the Chief Secretary for Ireland would introduce a measure on the subject after consulting with some individual more qualified to give an opinion in the matter than the functionary he had named.

MR. BAGWELL thought the Bill suggested by the right hon. Baronet the Chief Secretary for Ireland would answer the purpose as well, if not better than the measure under consideration. Colonel White, a large farmer in Ireland, had written to him that he had forty sheep killed by dogs in one year, and that, having reason to believe that the dogs belonged to his tenantry, he assembled them and asked them to reimburse him for his loss, and, on their refusal to do so, informed them that he would allow no one of them to keep a dog unless he paid 5*s.* a year to the schools on the estate, the result of which was that he never afterwards lost a sheep. The right hon. Baronet objected to the Bill on the score that it would throw a great deal of work on the police; but there was every reason to believe that the registration fee would tend greatly to the decrease of dogs, and the consequence would be that very little work would have to be done under the Bill. He objected to the employment of the constabulary in this matter. They were a highly respectable body of men, but as a police force he regarded them as a failure. If the present Bill were withdrawn, he hoped the Chief Secretary for Ireland would give a pledge to bring forward a measure on the subject.

LORD NAAS said, that the nuisance resulting from the number of dogs in Ireland was almost indescribable. He knew that in his county at lambing season a farmer having twenty or thirty sheep was obliged to keep a man up all night watching them to guard against the depredations of these animals; and yet, in spite of all precautions, a great number were always destroyed by the dogs. The evil was admitted on all hands ["No, no!"] He should like to know who said "No." The dogs in his hon. Friend's neighbourhood must be of a different race if they did not attack his sheep and lambs. The chief objection taken to the Bill before the House was that it would impose duties on the constabulary which they would have difficulty in performing; but he had always observed that any attempt to place additional duties on the constabulary was invariably opposed by those having the direction of that force. He had himself proposed that certain revenue duties should be performed by the constabulary, and the gentleman at the head of the force was terrified at the proposal; but he had since seen cause to change his opinion, and admitted that the plan worked well. The constabulary performed their duties generally in an efficient manner, but the Chief Secretary for Ireland, when he wished it to be believed that the constabulary were already overworked seemed to be drawing too largely on the credulity of the House. The plan suggested by the Chief Secretary was a very fair one, and he suggested that the present Bill, when read a second time, should be postponed until after the discussion on the proposed Government Bill, and if the House sanctioned that Bill, the one now under consideration would not, of course, be proceeded with.

MR. SCULLY believed that the destruction of sheep in Ireland by dogs was greatly exaggerated, and objected to a different legislation on this subject being applied to Ireland from that which was in force in England and Scotland. Must there be a passport for a dog if it was transferred from one district to another? Again, how was a constable to tell that a dog was of an age to require registering? Was he to examine its teeth—a process that might in some cases be attended with inconvenience to the examiner? Really, to make the Bill complete, they ought to have a registry of the births of all dogs; and as soon as a litter of puppies was born, a constable should be sent for to ascertain which of them was to be kept. In conclusion, he was glad that the Chief Secretary had acquitted the people in the county of Donegal of all blame for the destruction of sheep in the mountains. These poor persons had been persecuted, and in many instances utterly ruined, owing to the groundless accusations preferred against them. The hon. Member then moved, as an Amendment, that the Bill be read the second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Scully.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. BRADY said, the police were in truth a standing army, and if they were to be employed in the duties cast on them by this Bill, they would become ten times more distasteful than they were to the people of Ireland, and believing the principle of the Bill to be exceedingly exceptionable, he would second the Amendment.

THE O'CONOR DON thought the general feeling was in favour of something being done to check the undue multiplication of dogs in Ireland. Such a proposal was intended as much for the benefit of the poor as for the benefit of the rich; for many small farmers were unable to keep their sheep in consequence of the ravages committed by dogs. He did not wish to interfere with the gratification which any man derived from keeping a dog, but against the loss of that gratification must be set the loss now occasioned to property from the excessive number of those animals. A system of registration would enable them to make the owner look after his dog, and more effectually to enforce against him his present legal responsiblity for the injury it did to other people. The only reason for making the constabulary the instruments for giving effect to the law, and also for conducting the primary registration, was that by the fees paid upon such registration they would have some interest in seeing that the law was carried out. The right hon. Gentleman the Secretary for Ireland proposed that, instead of a registration under the constabulary, there should be a licensing system under the Board of Revenue or the clerks of Petty Sessions. But even under that plan, who were to see that dogs really were licensed? If the constabulary were to do so, then the objections urged by the Chief Secretary would equally apply to his own plan.

Mr. M'MAHON said, the Bill afforded an excellent illustration of the system on which the legislation for Ireland was generally conducted. A local, exceptional, and temporary state of things was found to exist, and straightway they based upon it a universal and permanent law. In certain parts of Ireland there had been a great depopulation, and as a necessary consequence of that there was a great surplus of dogs. These animals, having nobody to look after them or claim them, ran about the country wild, doing occasional mischief. But that only happened in Londonderry. Donegal, and those districts where the people, having had their dwellings levelled, had emigrated, or had gone into the workhouse, or had died by the roadside; and how were they to get at and register such dogs, which really had no owner? Were the police to shoot them, or hunt them down, and bring them before a jury? No depopulation had taken place in his own county (Wexford), and he had not heard of a single complaint there on this matter. Because a grievance existed in a few places, why were they to punish the whole country? Under that Bill nobody could keep a dog for the protection of his sheep or cattle without registering it; but in England the farmer could keep farm dogs free of trouble or charge. It would be better that the English assessed taxes should be extended to Ireland than that the present measure should become law. There was no warrant whatever for such a Bill; nobody would think of proposing it for any other country but Ireland. The Bill could not, in his opinion, be altered so as to be acceptable to the House, and probably the best way of dealing with it would be to reject it altogether.

After a few words from Captain Stacpoole,

Sir THOMAS BATESON briefly supported the Bill, observing that he had only the other day received a letter from his steward informing him that he was obliged to keep men on the look-out all night in order to prevent the destruction of his sheep by dogs, and he knew that many persons in the county Down had given up keeping sheep in consequence of the loss of them by the depredations of the dogs.

Colonel DUNNE thought it was generally admitted that some legislative remedy was needed in this case, and he believed that in Committee it would be easy to amend such of the details of the Bill as required improvement. He thought the right hon. Baronet the Chief Secretary for Ireland might devise such a measure if he would consult with the Irish Members on the subject.

Mr. HENLEY said, he would vote with the Chief Secretary for Ireland if the House went to a division. If the Government said the constabulary were not fit to take charge of the working of that measure, he must accept that opinion; and that objection was fatal to the Bill. In England they taxed the dogs which had been kept in the preceding year, and they did that from the utter impossibility of taxing them prospectively. That fact, also, went to the root of everything in the present Bill, which required, as the first thing, that the owner of a dog should give a certain notice. In England they did not attempt to deal with puppies, but left them alone. By the Bill, every man who had a dog that was not registered was made liable to a fine of 5*s.*; so that if a man happened to have a number of bitches, it was easy to see to what cumulative penalties he might be exposed almost before he was aware of it. He knew nothing of the number of dogs or puppies in Ireland; but if legislation was needed on the matter, it would be much better to follow the English mode, which was recommended by long experience of the assessed taxes, and make people pay for the number of dogs they had the year before — a fact which could be got at, and which would equally serve their purpose. Was it intended that there should be a license to shoot dogs that did mischief? It was very questionable wisdom to encourage people to take the law into their own hands, and if there was to be a shooting of dogs it was possible that some other shooting might take place.

Sir FREDERICK HEYGATE, in reply, said he was surprised that the Chief Secretary should object to the police being intrusted with the duties which the Bill would impose upon them, because he had thought the right hon. Baronet's confidence in the force was very large. The county of Londonderry and many other places where large numbers of sheep had been destroyed by dogs were not at all depopulated, and it was quite an error to suppose that it was only in a very few exceptional and isolated districts that the evil against which the Bill was directed prevailed. The tenant farmers in many parts of Ireland had sustained serious loss from the ravages of dogs, and no effectual remedy for the evil existed. He was quite ready to agree to the proposal of the right hon. Baronet, if this Bill were now read a second time, to postpone going into Committee till the Government had brought in a Bill on the subject, and then both Bills might be considered *pari passu.*

Sir ROBERT PEEL assented.

Question, "That the word 'now,' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Wednesday* 31st May.

SHEEP AND CATTLE BILL—[Bill 57.]

SECOND READING.

Order for Second Reading read.

Mr. H. FENWICK, in moving the second reading of the Bill, stated that its object was to make the owners of dogs liable for injury inflicted by them on sheep and cattle. In fact, the Bill was one to assimilate the law in England with respect to injuries by dogs to sheep and cattle to that of Scotland and Ireland. At present there was no remedy as against the owner of a dog for injuries to sheep and cattle, unless it could be proved that the dog had been in the habit of worrying sheep or cattle, and there was often great difficulty in obtaining that proof. Such a law was obviously very absurd and unjust. The information he had received led him to believe that in almost every county in England very considerable injury was inflicted by dogs on sheep and cattle. In his own county, according to Returns received, there were no fewer than 962 cases of such injury to sheep alone, and in no instance had any compensation been obtained. The grand jury of the county, Poor Law Guardians, highway authorities, and agricultural societies had petitioned in favour of the Bill.

Sir COLMAN O'LOGHLEN said, the hon. Gentleman was mistaken in supposing that the law in Ireland was as he had represented it. It only extended to sheep, not to cattle. But in Scotland the law applied to both sheep and cattle, which was the proper state of things. He hoped this Bill would be made applicable not only to England, but to Ireland, and he thought poultry might with great propriety be added to sheep and cattle.

Motion *agreed to.*

Bill read 2°, and *committed* for *To-morrow.*

CHEMISTS AND DRUGGISTS BILL.

[*Sir FitzRoy Kelly.*]

[Bill 78.] SECOND READING.

Order for Second Reading read.

Sir FITZROY KELLY, in moving the second reading of the Bill, said, it was a measure which had been long and urgently required for the protection of the public, and it was desired by all the members of the respectable profession of chemists and druggists. It was well known to the House that as the law now stood there was absolutely no protection whatever for the public in general against the carrying on of the business of chemist and druggist, and consequently of the making up of medical prescriptions by persons altogether ignorant and incompetent. It had long been felt that the law ought to provide some protection against the dangers to which the public was exposed in this respect. The Medical Council had recently called the attention of the Government to this important subject in the hope that the right hon. Baronet the Home Secretary would himself introduce a Bill to provide a remedy against the evils complained of. It was not for him to arraign the Government, who he had no doubt had very good reasons for not attempting legislation on the subject; but as the Government had shown no disposition to act upon the suggestion made them, the Pharmaceutical Society, which had been long established, and whose acts and proceedings had conferred great benefit upon the public, thought it their duty to submit this measure to the consideration of the House. As the law at present stood, there was no qualification required, nor was any licence necessary to enable a man to start into business as a chemist and druggist. By the present Bill it was proposed to subject chemists and druggists, with certain exceptions, to an examination, upon the result of which would depend their registration, and when registered, whether they should be hereafter entitled to carry on the business of chemist and druggist and to make up medical prescriptions; the registry would be kept by the Pharmaceutical Society. The only question that remained for consideration was, what was to be the nature of the examination and by whom it should be conducted. Now, there already existed the means and the machinery for such examinations with the most perfect security within the Pharmaceutical Society itself. That Society had been in existence since 1843, when it was incorporated; and in 1852 it was recognized and confirmed by the well-known Act called the Pharmacy Act. A body of examiners had been appointed to examine candidates for the profession in botany, chemistry, materia medica, and the Latin language, and the successful candidate obtained a certificate by which he was qualified to be an associate of the Society. The whole substance of this Bill was contained in a single sentence. It was proposed that all persons hereafter to be permitted to carry on the business of chemist and druggist, and to prepare medical prescriptions, should, in the first instance, submit to an examination by this Society, and upon obtaining a certificate of competency they should be registered by the payment of a small fee to the Pharmaceutical Society. He was quite content to leave the question of fees and any other detail to the approval of the Secretary of State, the main object of the Bill was the examination, and that, he thought, would give all the security that was required. It was impossible to speak too confidently of the nature and character of this examination. The system had been in existence and practice for more than twenty years, and had been recognized and confirmed by Act of Parliament in 1852; it had received the sanction of various Governments. He, therefore, thought he was warranted in relying upon the support of Her Majesty's Ministers in moving the second reading of the present measure. The Medical Board charged with the well-being of the army had stamped their approval on the examination and whole proceedings of the Pharmaceutical Society by a resolution which had been in force for many years; and no one could be an army dispenser without producing their certificate; and the effect of this Bill was to protect the public as the army is now protected by prohibiting any person from making up prescriptions unless he had passed an examination by the Pharmaceutical Society. At present several thousand persons carried on the business of chemists and druggists, and it had been thought too strong a measure for any but Her Majesty's Government to lay any important restrictions upon them; and therefore, whilst the provisions of the Bill were stringent and precise, an exception was made by the Bill in favour of those who had carried on this business for a certain period, and there were some thousands who might have carried it on for a great length of time; but it would be necessary for them to produce the certificate of a medical practitioner that they had actually and *bonâ fide* carried on the business of a chemist and druggist before this Bill came into operation, and on that certificate they would be entitled, without further qualification, to be registered and to carry on the business hereafter. If the House should read the Bill a second time it would be for the Government and the House to decide when in Committee whether a clause should be added to the Bill imposing any further restrictions upon the existing chemists and druggists. All that he now asked was that the House should assent to the second reading of this Bill, with the view of securing the public against the carrying on hereafter of this business by utterly incompetent, inexperienced, and altogether ignorant persons, and enact an examination of properly qualified persons by the Pharmaceutical Society, which had obtained universal approbation wherever it had been applied in practice. The Bill of the hon. Baronet the Member for Westminster (Sir John Shelley) had two objects in view. One identical with the object of the Bill now before the House, and the other a much more extensive object—namely, to prescribe the terms and conditions upon which the sale of poisons and drugs, and what were called "chemicals" in general should hereafter be sold. Now, that, he thought, was far too difficult and complicated a measure, as it would interfere with the freedom of many branches of trade, to be made the subject of a Bill; but should the Government undertake such a measure he should be happy to give them his assistance; but he protested against its being attempted to legislate in that manner by individual Members of that

House. Both Bills, however, admitted the necessity of affording to the public some protection against incompetent and ignorant persons carrying on the trade of chemists and druggists; they agreed that some examination should be applied to all; and the only difference between them in that respect was by whom the examination should be conducted. His Bill proposed that it should be in the hands of the already recognized body—the Pharmaceutical Society—who had conducted their operations in that respect with great effect and success. The other Bill proposed that there should be a Council of twenty-one members, who were to appoint the examiners, no provision being made for the qualification either of the Council or the examiners, and they were equally left in doubt as to the character of the examination. That was a point which he thought might be as well, if not more properly, discussed and decided in that House than in a Select Committee, because it was a point upon which they did not require to take evidence.

Moved, "That the Bill be now read 2°."—(*Sir FitzRoy Kelly.*)

Sir JOHN SHELLEY distinctly disclaimed, on the part of those whom he represented on this occasion, the slightest intention to infringe or interfere with the privileges of the chartered body who were the clients of the hon. and learned Gentleman. The question was a public one—the sale of drugs. Dr. Taylor had recommended to the Government that the question of the sale of poisons should be taken into consideration. The Bill of the hon. and learned Gentleman went no further than this: it prescribed a certain examination, under the Pharmacy Act, to be undergone by all before they were qualified to make up medical prescriptions; but there was a very large portion of the trade carring on a lucrative business, that did not see or make up a medical prescription once in a week, and the Bill as to these would be comparatively useless. The trade was divided into two classes—namely, those who wished to become scientific chemists and those who carried on the trade of chemists and druggists, who required little or no qualification for the branch of the trade in which they had embarked. His Bill proposed to deal, not with common things sold over the counter, but only with poisons. The Pharmaceutical Society had no doubt existed for many years, was possessed of great privileges and wealth, and had done a great deal of good in towns, but its benefits had not reached the agricultural districts. It was well that the House should know that the members of the Pharmaceutical Society numbered at one time 4,000, but since then they had decreased to 2,300, including the foreign and colonial members. The United Society of Chemists, whose Bill he would have the honour of proposing to that House, was composed of over 3,000 members. It was clear, he considered, that the examination prescribed by the Pharmaceutical Society was too expensive, and this accounted for the falling off in the number of its members, and the superior numerical strength of the Society of Chemists and Druggists. Care should be taken that while the doctors differed the patients did not die; and it was their duty to see, in the public interests, that some legislation should take place by which the sale of poisons would be efficiently regulated. If he understood aright the Bill proposed by his hon. and learned Friend, it would prohibit any person from making up a prescription who had not undergone the examination of the Council of the Pharmaceutical Society. The House would agree that it was a great pity that the two great Societies which had been referred to had not come together and mutually agreed upon the principles of a Bill which would not have interfered with the freedom of the trade, and have given the public that protection which they required in the sale of dangerous drugs. The Chemists and Druggists Society had made advances with that object, but the Pharmaceutical Society would not recognize it, and now each Society had come forward with a Bill of its own. The examinations of the Pharmaceutical Society cost ten guineas; and in addition to that there were the expenses necessarily entailed upon persons coming from the country to London, and remaining there till they had passed their examination; so that the outlay would not amount to less than £30 or £40. He did not wish to interfere for a moment with the privileges of the Pharmaceutical Society; on the contrary, he would still be glad to see chemists wishing to raise themselves in the grade of their profession, taking the advantage of the examination which the Pharmaceutical Society afforded; but he could not assent to the principle of forcing the whole of the chemists and druggists to pay for that examination, when they could be registered for half the amount. The public required more protection than the Bill proposed by the hon. and learned Member provided, and he (Sir John Shelley) ventured to say that that Bill did not meet with the support of the trade at large. The House should not look upon the two Bills as a mere squabble between two great Societies, but as an important public question. Let the Pharmaceutical Society go on with their hall and lectures, and they would no doubt do much good; but this Bill of the Society was not calculated to promote the interests of the trade at large, nor yet to reduce the danger to which the public were exposed in the sale of drugs. The Bill which he (Sir John Shelley) had brought forward did not interfere with those now carrying on the trade of chemists and druggists, but it proposed that chemists should be registered under an Act, and, after that, that a Board of Examination should be founded upon the principle of the Medical Practitioners Act. He believed if these two Bills were referred to a Select Committee, the result would be satisfactory. The sale of poisons was a difficult question to deal with, and he heartily wished the Government had taken it in hand, especially after the strong representation that had been made on all sides as to the mode in which drugs were dispensed in agricultural districts, where everything, from laudanum to a pair of boots was sold in the same shop. The question of the sale of poisons was no doubt difficult to deal with, but when they found that a Society that had been established so many years shirked it, and the Government did nothing, it was right that some one else should take steps to put the matter on a right footing. A Select Committee might find the groundwork of a good public Act in the Bill which he had brought before the House, rather than that in which had been proposed by his hon. and learned Friend opposite. He had, however, no objection to the second reading of this Bill, hoping the House would see the necessity of referring both Bills to a Select Committee.

Mr. BRADY supported the Bill of his hon. and learned Friend (Sir FitzRoy Kelly), and contrasted the importance of the two Societies referred to, and their respective claims upon the consideration of the House. The Pharmaceutical Society was composed of men of the highest knowledge in chemistry, and the examinations of the Society were formed upon a very high standard; while the Society of Chemists and Druggists admitted clerks, apprentices, and many other persons as members who knew nothing whatever about chemistry. He attributed the decrease in the members of the Pharmaceutical Society to the fact that there were a number of enthusiastic persons joined it at first who had since resigned, not having any real interest in the science of chemistry. It was incumbent, he thought, upon the Home Secretary to take the matter into his own hands.

Mr. KINGLAKE said, he did not admit that there was any force in the argument of the hon. Baronet as to the greater number of members composing the Chemists and Druggists Society compared with the Pharmaceutical Society. The one submitted its members to a very difficult examination, whereas the other did not subject its members to any examination whatever. The claim of the Pharmaceutical Society rested entirely upon the fact that it had ready a machinery suitable for conducting the proposed examinations; whereas, if the Bill of the hon. Baronet were adopted, it would be necessary to begin *de novo* and constitute new machinery. There were some alterations which he would like to see made in the Bill, which would place all chemists and druggists now in business on an equality with those who should hereafter pass the examination of the Pharmaceutical Society. If that were done, he should not object to the second reading.

Mr. ROEBUCK wished to know what steps the Government intended to take in this matter; as he would feel himself very much bound by what they did, because this was a matter which fell particularly within their cognizance.

Sir GEORGE GREY said, he had no objection to the second reading of the Bill of the hon. and learned Gentleman opposite (Sir FitzRoy Kelly). The Pharmaceutical Society was a very important and useful body, and if there were to be examinations of chemists and druggists those examinations might with safety be placed under the direction of the Council of that Society. There was no doubt these subjects required very careful consideration. The hon. and learned Gentleman was quite right in saying that Bills with reference to medical subjects had hitherto been very carefully inquired into. That was the case with the Pharmacy Act, which received the close attention of a Select Committee, of which his right hon. Friend the Member for Kilmarnock (Mr. E. P. Bouverie) was Chairman, and the Bill which was brought in was essentially altered, the House having adopted the recommendations of the Committee with regard to it. There was again the Medical Registration Act, with regard to which he recollected the difficulty that was experienced in bringing together the different branches of the medical profession; and it was only after an inquiry before a Select Committee, that this object was effected, and an amended Bill was submitted to Parliament, which was ultimately adopted, with the general approval of the medical profession. He had seen the representatives of the Pharmaceutical Society, and also of the general body of Chemists and Druggists, and his advice to them was that they should meet together, and agree upon a general outline of a Bill. He could not concur in all parts of the Bill which the Pharmaceutical Society wished him to introduce, and he stated certain objections to it. Unhappily, though it was, perhaps, not a matter of surprise, there were jealousies existing among members of the same profession, and it had not yet been possible to bring them together and induce them to agree to the principles of a Bill. The Bill of the hon. and learned Gentleman was good as far as it went, but it dealt with a very limited portion of the subject. It professed only to provide an examination for chemists who were to make up prescriptions for medical practitioners. In the other Bill before the House there were provisions with regard to the sale of poisons and deleterious drugs, and it would be extremely desirable when dealing with the subject to embody in the Bill, if possible, these provisions. He thought there were points in both Bills which recommended them to favourable consideration, and if a Select Committee were appointed who would bring before them a limited number of the representatives of the two conflicting parties, a Bill might be the result which would effect to the fullest extent the object in which they had so deep an interest. He would recommend that both Bills be read a second time, and referred to a Select Committee, a course which he believed would be the most satisfactory to the House.

LORD ELCHO said, he had some objections to the Bill proposed by the hon. and learned Member (Sir FitzRoy Kelly). He had been asked by the Pharmaceutical Society to undertake the conduct of that Bill through the House, and the reason, he apprehended, why they came to him was that in 1858 he had taken an active part in the subject of medical reform. There was much need felt for raising the standard of education. There were so many different bodies bidding against each other that the result was the lowering of medical education. Certain bodies also had monopolies which it was felt desirable to do away with. When the representatives of the Pharmaceutical Society came to him with this Bill, he told them they went a little too far in one respect, and an injustice would be inflicted. He contended that it was necessary to allow certain persons in country villages to dispense medicines, and even to make up prescriptions, although it could not be expected that those people should undergo examinations. Having met with an accident in the Highlands during the present year he had had occasion himself to get a prescription made up in one of these country villages. He had to go for this purpose to the post-office of the village, which he found to be a store for the sale of almost every article, from fiddles to hobnails. His prescription, however, was made up, and did him great benefit. Now he believed it to be unadvisable to do away with shops of that description; and, at the same time, it was unreasonable to expect that such shopkeepers should submit to an examination. He should support the Bill brought in by his hon. and learned Friend in preference to the one introduced by the hon. Baronet, because, of the two, he believed it to be the more liberal. He should also observe that the former measure was promoted by the Pharmaceutical Society, who had a good library, laboratory, and lecture-room, and they had expended £70,000 on the education of the chemists and druggists of the country; while the Secretary of the Chemists and Druggists, Society, who had framed the other Bill, were nothing more than a trading body, and a sort of benefit society. Under these circumstances he could not help thinking that if the present law were to be changed it would be better to raise the new system upon the foundation furnished by the former, rather than upon that furnished by the latter of those two bodies. He should, however, recommend the hon. and learned Gentleman to accede to the proposal that his measure should be referred with the competing scheme to a Select Committee.

Mr. BEECROFT also recommended the hon. and learned Gentleman to allow his Bill to be referred to a Select Committee.

Sir FITZROY KELLY said, he would assent, though reluctantly, to this proposal.

Motion *agreed to.*

Bill read 2°, and *committed* to a Select Committee. Then,

CHEMISTS AND DRUGGISTS (No. 2) BILL—[Bill 84]—[*Sir John Shelley.*]

SECOND READING.

Bill read 2°; and referred to the same Select Committee; and on *Thursday,* April 6, Select Committee nominated as follows:—

Sir FitzRoy Kelly, Sir John Shelley, Lord Elcho, Mr. Baring, Dr. Brady, Mr. Hastings Russell, Mr. Charles Wynn, Mr. Ayrton, Mr. Sclater-Booth, Mr. Cox, Mr. Schneider, Sir James Fergusson, Mr. Charles Forster, Mr. Roebuck, and Mr. Black:—Five to be the quorum.

House adjourned at a quarter after Four o'clock.

* * *

HOUSE OF LORDS,

Thursday, March 30, 1865.

MINUTES.]—Public Bills—*First Reading*—Metalliferous Mines [h.l.] (49); Marine Mutiny*; Mutiny*; Consolidated Fund (£15,000,000)*; Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation* (50).

Report—Private Bill Costs (47).

Third Reading—Colonial Naval Defence (39), and *passed.*

METALLIFEROUS MINES BILL, 1865.

PRESENTED. FIRST READING. (No. 49.)

Lord KINNAIRD, in *presenting* a Bill making provision for enabling persons engaged in working certain metalliferous mines to do so with greater regard to health and safety, said, that the usual practice was to lay a Bill upon the table without making any statement of its object at that stage, to defer any observations until the Bill came on for second reading; but on this occasion he should pursue a different course, and ask the attention of their Lordships for a few moments while he explained the object of the measure. In the Session of 1860 a Bill was brought before their Lordships for the regulation and inspection of mines, which gave rise to some discussion. During the progress of the Bill in the other House all reference to metalliferous mines and iron stone mines not in coal measures was excluded, but a pledge was given by the Government that an inquiry should be instituted into the state of those mines. In 1862 that pledge was redeemed, and a Royal Commission was appointed to inquire and to report as to the health and safety of the persons employed in lead, tin, copper, and iron-stone mines not in the coal measures. He had the honour of being Chairman of that Commission, which devoted two years to a very searching and laborious inquiry into the condition of the miners working in mines of that description; and the result was that at the end of last Session a Report, agreed to unanimously by the Commissioners, was presented to Parliament. The inquiry brought out a very fearful state of mortality amongst the metalliferous miners. On comparing the mortality of miners with that of other classes in the same district, they found that between the ages of thirty-five and fifty-five there were double the number of deaths among the miners. They also ascertained that this did not arise from the immediate effect of working underground, because on comparing the Returns of the Registrar General of the deaths in the colliery districts in the north of England they found that the colliers in those districts were more healthy and longlived, notwithstanding the numerous accidents that occurred, than any other class of workmen in the country. It was true that the colliers were somewhat better fed than the metal miners; but it was clearly proved that the metal miners were suffering from something especial in connection with their employment; and it was also clearly proved that the difference was owing to the better system of ventilation which was in practice in the collieries. In the collieries it was absolutely necessary that there should be a perfect system of ventilation, or explosions would take place; but in the metal mines there was no danger of explosion, and consequently ventilation was much neglected. The Commissioners employed scientific men to examine the air in the mines; they obtained upwards of 300 specimens of air, and had them submitted to the tests of science, and the result was that a large proportion of the air in these mines was found to be totally unfit for men to work in.

The Commissioners also had many of the miners examined by medical men, who all agreed in saying that this fearful state of disease and mortality was principally owing to the want of ventilation. It might have been expected that the men employed in these mines would be strong and muscular; on the contrary, the miners were found to be pale and emaciated, few reaching middle age without showing symptoms of disease. It was a common expression that a man of fifty was an old man for a miner. There were other causes also which tended to produce this melancholy state of things. In collieries the men on returning from work were lifted by a hoist, but the metal miners had to climb 1,200 or 1,600 feet after the fatigues of an exhausting labour. When they got to the top they were in a state of such exhaustion and profuse perspiration that they easily took cold, and having no proper place in which to change their clothes, much sickness and many deaths were occasioned. The miners themselves gave up all hope of being cured, and no provision was made for any who were out of work owing to sickness. Certain deductions were made from their wages as an assurance against accidents and to obtain the services of a doctor, but no benefit society would admit miners, no provision was made for them when off work, and they had no resource but to fall back upon the poor rates. The Commissioners did not think it desirable to point out how these evils were to be remedied, but the necessity for legislation was clearly established. It was, he admitted, a difficult subject to deal with, but having given much attention to it, and having lived among the miners for two months, during which time, as well as during the entire period of the existence of the Commission, he was constantly underground, he was prepared to show that the evils under which these men laboured might be remedied. Such a state of things as that which now existed could not be allowed to continue, and he had, therefore, prepared this Bill. But he wished to state that he presented this measure to their Lordships entirely on his own responsibility; he had not submitted it either to the other Commissioners or to the Government, but he trusted it would receive the support, not of Parliament only, but of the mining interest; because many persons connected with mining were totally ignorant, till this inquiry took place, of the state of things existing among the men, and when the inquiry was being made the Commissioners met with most cordial support from those who were interested in mines, who were quite willing to give every information, and who admitted that some legislation was necessary. He would not go at length into the details of the measure, because that would be done at the second reading; but he might state that it was not proposed to imitate the system of inspection instituted under the Mines and Collieries Act, which, he thought, would be objectionable. First, they would not be able to obtain for the salaries that could be given the services of men as Inspectors, possessing the same experience and qualifications as many of those who have now the charge of the mines and upon whom the responsibility should rest; next, because the metalliferous mines were so much scattered that an immense staff of Inspectors would be required; and lastly, because an Inspector resident on the spot would give rise to suspicion. There was great speculation in mines—the prospect of many mines varied from day to day, and if there were any resident Inspector he might be tempted to give information, and if he did not he would be suspected of giving it. But what he proposed was that there should be a Board or Department under the Government, somewhat similar to the Railway Department of the Board of Trade, and there was in the Office of the School of Mines an admirable nucleus for carrying out the provisions of the Bill. He thought this proposition would meet with the concurrence of the mining interest. It was proposed the mines should not be under regulations prescribed by Act of Parliament, on account of the difficulty of making one regulation answer all the mines, but it was proposed that the Board should inquire into the state of the different mines, and have full power to direct what was necessary for the health and safety of the miners. And the Report, he thought, would point out upon what points it was necessary to have regulations. He did not wish to press the measure forward, but to give full time to all who were interested to consider it. The mining interest was a very important interest; it was at this moment suffering under great depression owing to the state of things in the United States; but he ventured to think that if the propositions in the Report were carried out, not only the mining interest would be benefited, but their Lordships would have the satisfaction of feeling that they were promoting the welfare and lengthening the lives of one of the most industrious, well-conducted, moral, and religious classes of Her Majesty's subjects.

Bill relating to Metalliferous Mines *presented;* read 1^{a}; and to be *printed.* (No. 49).

PRIVATE BILL COSTS BILL—(No. 47.)

REPORT.

Amendments reported (according to Order.)

Lord REDESDALE *moved* a New Clause—

"Where, in accordance with the Standing Orders of either House of Parliament and of an Act of the Ninth Year of Her present Majesty, Chapter Twenty, a Deposit of Money or Stock is made with respect to the Application to Parliament for an Act, the Money or Stock so deposited shall be a Security for the Payment by the Promoters of the Bill for the Act of all Costs or Sums in respect of Costs, if any, payable by them under this Act; and every Party entitled to receive any Costs or Sum so payable, shall accordingly have a Lien available in Equity for the same on the Money or Stock so deposited, and the Lien shall attach thereon at the Time when the Bill is first referred to a Committee of either House of Parliament; provided that where several Parties have the Lien for an Amount exceeding in the Aggregate the net value of the Money or Stock their respective claims shall proportionately abate."

Lord STANLEY of ALDERLEY opposed the clause. The money deposited with a private Bill was deposited as a security that the proposed works would be executed, whereas by this clause this money would be made applicable to an entirely different purpose. Besides, to require money to be deposited as security for costs was an entirely novel principle, for it was one not adopted even in the courts of law.

Lord HOUGHTON said, that though the clause in itself might be a good one it was not germane to this Bill, and, if adopted, might imperil the measure. The Bill ought to be kept strictly within its own purposes and for its own objects; and he therefore trusted that if the noble Lord the Chairman of Committees thought the object of his clause a good one, he would find a better opportunity of proposing it.

The Marquess of BATH did not think his noble Friend's clause was open to the objection which had been made to it by the noble Lord the Postmaster General; because it was well understood that the money deposited with a Private Bill was no real security for the execution of the works.

The LORD CHANCELLOR thought that the proposition of the noble Lord the Chairman of Committees would not operate at all unreasonably in the cases in which a Bill happened to be rejected; but in the event of a Bill passing, it would certainly be open to objection that a lien on the deposits should be given. He hoped, therefore, the noble Lord would re-consider the matter, and bring up the clause in a modified shape on the third reading.

Lord REDESDALE said, that in accordance with what appeared to be the general wish of the House, he would, on a subsequent stage of the Bill, bring up a clause the operation of which should be limited to those cases in which a Bill was lost.

An Amendment made; Bill to be read 3^{a} on *Monday* next; and to be *printed,* as amended (No. 51.)

COLONIAL NAVAL DEFENCE BILL. (No. 39.) THIRD READING.

The Earl of DALHOUSIE said, he thought it would be hardly right to allow the Bill to pass through the House without saying that it would honourably distinguish the administration of his noble Friend at the head of the Admiralty even though he had rendered the country no other service. It was a measure which had for its object to assist our colonies in undertaking their own naval defence, and it was but just to them that we should, while calling upon them to expend considerable sums in providing for their protection in a military point of view, aid them by taking a step which would place them in a position of comparative safety, not merely against the operations of regular warfare, but against the attacks of those privateers which, at the opening of a war, might make an attack upon their commerce.

Bill read 3^{a}, with the Amendment, and *passed,* and sent to the Commons.

THE SAFFRON HILL MURDER—CASE OF PELIZZIONI.—QUESTION.

Lord HOUGHTON, in rising to put a Question to the Government on this subject, said, that he would in a few words explain the object of his inquiry, but it was unnecessary that he should enter at length into the circumstances of the murder which was supposed to have been committed by a foreigner named Serafino Pelizzioni on the person of a man named Harrington. After Pelizzioni had been found guilty of that crime and condemned to death, another Italian named Gregorio Mogni confessed that he was the culprit, and mainly through the agency of a benevolent Italian gentleman, Mr. Negretti, the matter was so strongly pressed on the authorities that Gregorio was put upon his trial for the same offence, and was convicted mainly on his own confession that he had used the knife freely, not of murder, but of manslaughter. A respite was, in consequence, granted to Pelizzioni, who was now lying in prison awaiting his second trial. But it had been stated elsewhere that it was the intention of the Government to place Pelizzioni again on his trial on the charge of having stabbed another person in the same fray, he believed, in which Harrington had met his death. That was a point upon which of course their Lordships could pronounce no opinion; but it had been represented to him that there was a strong feeling among the Italians resident in London that Pelizzioni would be placed at a disadvantage by being in custody, because if he had been at liberty he would have been taken before a magistrate, the witnesses would have been examined afresh, and he would have had an opportunity of cross-examining them. He need not impress upon their Lordships the importance of avoiding in the case of a foreigner any appearance of prejudice or unfairness — more especially after the late very painful correspondence between Mr. Negretti and Sir Richard Mayne, in which the former philanthropically contended for what he believed to be right, and the latter with equal zeal defended the force which he so ably commanded. He would, in conclusion, ask, Whether, if Serafino Pelizzioni, now lying in prison under respite from Her Majesty, be arraigned for a fresh offence, care will be taken that he should have all the Opportunities and Advantages of Defence that he would have had if he were at liberty?

EARL GRANVILLE said, that he did not exactly understand under what disadvantages it was feared that Pelizzioni would labour. No obstacle would be thrown in the way of his defence by the authorities, and every care would be taken that justice should be properly administered.

LORD HOUGHTON explained that the fear was that Pelizzioni might suffer from not having the witnesses examined afresh before a magistrate, and thus being able to cross-examine them, and to place himself in a totally unprejudiced position.

THE LORD CHANCELLOR said, the noble Lord might rest assured that every fair opportunity of defence would be accorded to the prisoner, and he would not suffer from having been convicted upon another charge.

THE EASTER HOLYDAYS.

EARL GRANVILLE said, that it might be convenient to their Lordships to know that on Friday the 7th of April he should move the adjournment of the House till the 27th of that month.

House adjourned at a quarter past
Six o'clock, till To-morrow,
half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Thursday, March 30, 1865.

MINUTES.] — NEW WRITS ISSUED — For Louth *v.* Richard Montesquieu Bellew, esquire, Commissioner of Poor Laws in Ireland; For Eversham *v.* Sir Henry Pollard Willoughby, baronet, *deceased.*

PUBLIC BILLS — *Second Reading* — Metropolitan Houseless Poor * [83]; Inclosure * [89]; County Voters Registration * [59].

Committee—Courts of Justice Concentration (Site) (*re-comm.*) [71]; Court of Chancery (Ireland) [6]—R.P.; Pilotage Order Confirmation (*re-comm.*) * [81]; Sheep and Cattle * [57].

Report—Courts of Justice Concentration (Site) (*re-comm.*) [71]; Pilotage Order Confirmation (*re-comm.*) * [81]; Sheep and Cattle * [57].

Third Reading—Union Officers (Ireland) Superannuation * (53); East India High Courts * [77]; Married Women's Property (Ireland) [60], and *passed.*

MIDDLESEX INDUSTRIAL SCHOOLS BILL.

SUSPENSION OF STANDING ORDER 193.

SIR GEORGE GREY moved that Standing Order 193 should be suspended, and that this Bill should be committed to a Select Committee of ten Members, five to be nominated by the House and five by the Committee of Selection. The Bill was a Private Bill to amend a Private Act of Parliament, the object being to place this school under the general provisions of the Reformatory Act. The result would be that the school would be entitled to receive a considerable amount of public money, in which case the usual course was to refer the Bill to a Select Committee of the kind he had proposed.

Mr. CAVE said, he thought that the object of the Bill ought to be accomplished, if at all, by means not of private, but of public legislation, applicable all over the country. If the principle were conceded, and schools like these were to receive public grants, the result would be a considerable annual addition to the Estimates.

Colonel WILSON PATTEN said, he desired to point out that inconveniences frequently arose in connection with the way in which his right hon. Friend proposed that this Committee should be appointed. The Members whom the Committee of Selection should nominate would not be obliged to attend, and if the Committee of Selection should happen to select Members to whom it would be inconvenient to attend, the services of the selection would be entirely inoperative. He wished, therefore, to suggest that it would be very desirable if the Members appointed by the Committee of Selection in cases like the present were subjected to the same rules as were applied to Private Bill Committees, on which the attendance of Members was obligatory.

Ordered, That Standing Order 193 be suspended in the case of the said Bill, and that the Bill be committed to a Select Committee of ten Members, five to be nominated by the House, and five by the Committee of Selection:—Five to be the quorum.—(*Sir George Grey.*)

CASE OF THE LATE MR. DRAKE. QUESTION.

Sir JOHN SHELLEY said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been directed to the report of an inquest held at the Strand Union on the body of Mr. George Drake, from which report it appears that this gentleman, in an apoplectic condition, was taken there by the police, supposed by them to be of unsound mind from drink, and left without any information by what means he came into their hands, and whether he will cause a Communication to be forwarded to the police authorities requiring that, in future, when any sick person, incapable of giving any explanation of his or her condition, be taken to a Union Infirmary, all the facts bearing on the case which the police can furnish should be forwarded in writing with the patient for the guidance and information of the medical officer?

Sir GEORGE GREY, in reply, said, he did not know anything of the case until after he saw the notice of the hon. Gentleman on the paper. It appeared that this person was in a hotel, where he was found in an excited and frantic state. He was taken before a magistrate by the police, whose duty it was to do so. By order of the magistrate he was removed to the workhouse. The policeman who took him, in obedience to the orders of the magistrate, could not state in writing all the circumstances connected with the case, but he stated that he brought him there by order of the magistrate who had all the facts before him when he made the order. He (Sir George Grey) would communicate with the magistrate on the subject, with a view to the object of his hon. Friend.

NAVY CHAPLAINS' QUARTERLY REPORT.—QUESTION.

Mr. HANBURY TRACY said, he wished to ask the Secretary to the Admiralty, Whether it is true that the Chaplains' Quarterly Report has been abolished, and, if so, what has been substituted in lieu?

Mr. CHILDERS said, in reply, that he had already stated a few evenings since that the Chaplains' Quarterly Report had been abolished. In its place, full information would be given by means of additional questions in the Inspection sheets, with respect to the performance of Divine Service on board ships, the administration of the Holy Communion, the attendances at school, visits to the sick; or to other ships not having chaplains. These Inspections averaged about twice a year. An annual Return, besides, was now called for with respect to the educational state of the whole of the crews in the navy, and their religious denominations.

PUBLIC HOUSE CLOSING ACT (1864) AMENDMENT BILL.—QUESTION.

Mr. COX said, he would beg to ask the Secretary of State for the Home Department, Whether, having regard to some observations made by the right hon. Baronet in reply to a deputation which had waited on him yesterday with reference to the Bill for the amendment of the Public House Closing Act, he was prepared to state what course the Government intend to take with regard to the measure?

SIR GEORGE GREY, in reply, said, he had received two or three deputations with regard to the Bill from persons whose representations were entitled to consideration; and if it were possible, without infringing on the principle of the Bill, the Government would endeavour to exempt certain houses from the operation of the Bill during certain hours. At all events, he would consider what could be done in the matter.

MR. COX said, that being the case, he would postpone the second reading of the Bill to that day week.

COURTS OF CONCILIATION.

QUESTION.

MR. DARBY GRIFFITH said, seeing the difficulty of arranging the matter in dispute between the ironmasters and their men in respect to the Lock-out, he wished to know, Whether the hon. Member for Rye (Mr. Mackinnon) intends to introduce his Bill for the establishment of Courts of Conciliation?

MR. MACKINNON was understood to say that it was not his intention to introduce such a measure, for the present, at all events.

COURTS OF JUSTICE CONCENTRATION (SITE) (*re-committed*) BILL—[BILL 71.]

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [23rd March], "That Mr. Speaker do now leave the Chair."

Question again proposed.

Debate *resumed.*

THE ATTORNEY GENERAL presented a Petition from the Treasurer of Lincoln's Inn, signed by him on behalf of himself and the other Masters of the Bench of the Society. The Petition stated that in former Sessions of Parliament similar Bills had been introduced; that on those occasions the Benchers of Lincoln's Inn had petitioned against them, under the belief that the concentration might be attained by the Courts of Equity being allowed to remain in Lincoln's Inn, the Courts of Law being provided in the neighbourhood; but that during the present Session, the Petitioners, being unwilling to oppose the further progress of the measure, had determined to withdraw all further opposition, and in so withholding their opposition were influenced mainly by the consideration that the northern side of the proposed building was to be in close proximity to Lincoln's Inn, and that the portion which was to be appropriated to the Courts of Equity being nearest to Lincoln's Inn was calculated to obviate the inconvenience of the removal of the courts from Lincoln's Inn. The Petitioners went on to state that they had recently learnt that the question was being agitated for the abandonment of that site; and they expressed their opinion that if a site were to be selected at a distance from Lincoln's Inn, the members of that Society who were practitioners in the Equity Courts would be greatly inconvenienced. They prayed, therefore, that if the Courts of Law and Equity were to be concentrated, no change would be made in the Carey Street site.

MR. LYGON said, he did not know whether the Government were prepared to give effect to what appeared to be the general feeling of the House when this matter was last before them; but, in order to raise the question, he meant to conclude by moving, as an Amendment to the Motion for the Speaker leaving the Chair, that the Bill be re-committed to the former Committee, and that it be an Instruction to such Committee to inquire into the capabilities of the Thames Embankment as a site for the proposed building. Notwithstanding the attention devoted to this measure in former inquiries, no opportunity had yet been afforded for considering whether the Thames Embankment would or would not present the proper site for the concentration of the new courts of justice. Only two sites had hitherto been considered. First, the Carey Street site, now adopted by Her Majesty's Government, and secondly, the only alternative site—a portion of Lincoln's Inn Fields—coupled with the offer on the part of those who possessed the freehold of Lincoln's Inn to make a very considerable metropolitan improvement. The latter proposition was rejected, and the Carey Street site approved of. But he maintained that the fact of the Carey Street site being approved of furnished no reason whatever why that House should be debarred from considering the large and important question of the site which was opened by the Embankment of the Thames. The extent of the site proposed to be taken in Carey Street the House was already familiar with. He would not, therefore, describe it beyond pointing out some material facts that would assist the House in the consideration of the question. The cost of the Carey Street site was estimated in 1861 to cost £678,000, and he apprehended that its value had not in any degree diminished since then. He did not find that the Select Committee to which that Bill had been referred had given any precise Estimate of the expenditure, but he would assume that the Estimate of 1861—namely, £678,000—was accurate, but it should be remembered that that was the cost of the site alone. The next point to be considered was whether that site would be sufficient. Now, the evidence of Mr. Pennethorne, the architect of the Board of Works, who was called as a witness by the promoters of the Bill, showed that several very important courts remained unprovided for by the measure. Mr. Pennethorne was asked whether he proposed to bring to that concentrated site the Central Criminal Court, and his reply was "No." He was subsequently asked whether the Bankruptcy Court was included in the list of courts for which provision was made, and he answered that it was not. The same witness also admitted that there was no provision in the plan for a court in which all the twelve Judges should assemble, similar to the present Exchequer Chamber. It might, however, be thought that the Carey Street site was so ample that accommodation might be found for those courts; but Mr. Pennethorne admitted that his plan was so made as to occupy the whole available space, and that if another Judge were appointed equivalent in rank to a Vice Chancellor, and as Chief Judge in Bankruptcy, accommodation could only be found for him by removing some of the offices upstairs. Thus, then, upon the showing of the witnesses called in support of the Bill, after a very large expenditure of money, several large and important courts would still be left wholly unprovided for. Now, since the Commission had sat, and since the Committee of 1861 examined this subject, another site had been opened which at all events deserved consideration before they incurred an enormous outlay upon the purchase of ground and the erection of buildings which would be inadequate for their purpose. At any rate, the suggestion deserved careful consideration. But, further, the Carey Street site would be difficult of access. The Strand was at present choked up with traffic, and although it might be said that the Thames Embankment would relieve the Strand, yet they knew that the more facilities were offered for the traffic of the metropolis the more that traffic was found to develop itself. He was a bold man, therefore, who believed that the Strand would be materially relieved by the Thames Embankment. The traffic along the New Road had in no degree been diminished in consequence of the opening of the Metropolitan Railway. It was possible, no doubt, to provide large open spaces in front of the new concentrated courts, and to widen the Strand in that part; but by doing so they would diminish *pro tanto* the space at their command for the new buildings. What had they at the Thames Embankment? They had the most perfect means of access on all sides. Some persons thought an excellent site would be available in the immediate neighbourhood of Westminster Bridge; others preferred the neighbourhood of Fife House, where a very large tract of land would remain at the disposal of the public. Of course, it was too late at the present moment to take any active measures to carry out either of these proposals; but when they were going to make a building that was to last for all time, and when they were about to lay out a very large sum of money, they ought to take care that in the choice of a site they did not perpetrate a blunder which would be a disgrace to the country for ages. Happily, they were living in times of peace, when there was no excitement connected with the administration of the law; but times might come when they could easily conceive it would be of great importance that there should be ready and easy access to the Courts of Justice. Such access, he thought, could not be had if the Carey Street site were selected. He begged to move, as an Amendment, that the Bill be re-committed to the former Committee, and that they be instructed to inquire into the capabilities of the Thames Embankment as a site for the proposed buildings.

SIR JOHN SHELLEY, in seconding the Amendment, said, he was well aware that in the course proposed by the hon. Member for Worcestershire they were opposing the opinion of the lawyers; but the question really was whether when they were going to spend a large sum of money in the erection of a Palace of Justice they should not select the best available site for the purpose. The site afforded by the Thames Embankment was not in existence and could not be taken into consideration when the Bill was originally before the Committee. If there was room enough on the Thames Embankment nothing could be finer than the façade of such a building. The access to the Carey Street site was one of its great difficulties—nothing could be better than the access to the Thames Embankment. The question was, after all, one of finance; and looking at the question in a financial point of view the expense of the Thames Embankment site might be fatal to its selection; but that was a mere assertion, and he had been told on the other hand that it would be the least expensive of all. A portion of the property of the Duke of Norfolk might be taken, which consisted not of first-class houses, and a most magnificent site might thus be obtained. It had been said elsewhere that the Suitors' Fund would not be available if the site selected were the Thames Embankment; but he could not understand that objection. Either they had power over the Suitors' Fund, or they had not. The question could not depend on the choice of any particular locality. This was one of those questions on which he thought they could not have too much inquiry. He believed they would only be doing justice to the future as well as to the present, by having this matter further inquired into.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be re-committed to the former Committee, and that they be instructed to inquire into the capabilities of the Thames Embankment as a site for the proposed buildings,"—(*Mr. Lygon,*)

—instead thereof.

Motion made and Question proposed, that the words proposed to be left out, stand part of the Question.

SIR HUGH CAIRNS: I believe I express the opinion of the great mass of hon. Members present, as well as my own, when I say that I trust the Government will not accede to this Amendment. I have not the least doubt that it has been brought forward in an earnest desire on the part of my hon. Friend that every consideration should be given before so important a step is taken as the selection of a site for this great building. But the House must observe that to carry this Amendment will be equivalent to the defeat of this measure for the present Session: and in a future Session no one can venture to foretell what may happen. But even suppose at this period next year we may get to this stage, who is to say whether hon. Members may not get up and propose inquiring into a third site, different from Carey Street and the Thames Embankment, which no one thought of in 1865? We shall then be in the same position as we are now. I confess I was anxious to hear from the two hon. Gentlemen who supported this Motion what are the reasons of greater convenience to the public on which the proposal of the Thames Embankment site rests. I did not hear them. No doubt the hon. Baronet (Sir John Shelley) says it would be a fine thing to have the ornamental façade of the Palace of Justice fronting the river. That may be; but the great consideration which puts Parliament in motion is the great inconvenience of the present arrangements; and the question is, which site will be most suitable for the purpose. Can there be a doubt as to what will be most convenient to the public? The hon. Baronet talks of lawyers; but who are the lawyers on this question? They are the great body of solicitors of London, who transact not only the legal business of London, but the legal business of the whole kingdom; and on what ground do they prefer the Carey Street site? Because on all sides in the immediate neighbourhood north of that locality they have their offices, and they could not get the same accommodation elsewhere—therefore, they say, give us some central Courts of Justice, which we can get at without going very far from our own offices, for our time is that of our clients. Then, on the south side of the Carey Street site is the Temple, where the barristers say the very same thing. Carey Street, then, stands exactly in the centre of these two localities, and would obviously be most suitable as a site for the proposed Courts. I will not enter into the question of finance; but I know of no obstacle on that score to the Carey Street site. As regards the extent of ground, indeed, it is said that Mr. Pennethorne in his examination says the arrangement does not include the Central Criminal Court in this Palace of Justice. Now I, for one, am very glad to hear it. I hope there will be no Criminal Courts there. We all know, if there was no other objection, there is the fatal one that when you get Criminal Courts you must have the gaols in immediate connection with them. To bring prisoners to the centre, where the civil business of the country is transacted, would, I think, be extremely inconvenient, it would be unsuitable to them, and it would disturb the conduct of the other business. Then, as to the Exchequer Chamber, Mr. Pennethorne says no arrangement has been made for the twelve Judges meeting in the Exchequer Chamber. Now, anyone at all conversant with the detailed arrangements of the Exchequer Chamber knows that it is composed of the Justices of any two of the three superior Courts of Common Law, and when the time for their sitting comes—on very few days in the year—there must of necessity be a cessation of the business of the two Justices' own Courts, either of which would be available, *pro hac vice*, for the Exchequer Chamber. So, also, it is said, there is no arrangement for the Bankruptcy Court. Now the registrars and accountants being connected with the mere administrative and financial details of bankruptcy, I think their presence would be unsuitable in the Palace of Justice; but if any judicial business is to be transacted by a Judge in bankruptcy or by a Judge of appeal, accommodation would easily be found for business of that kind. It only remains that I observe upon what has been said with reference to access. I confess I am not moved by the objections arising from the crowding of the Strand; because anyone who knows the sort of people who go to Courts of Justice know perfectly well that there is very little crowding of carriages about them. I do not think the erection of the new Courts will cause any great addition to the traffic of the Strand; but if it should prove otherwise it must be remembered that one of the great advantages of the Carey Street site is that you have two parallel lines of access, one at the north and the other at the south; and if it should appear that there is not width enough for the Strand and Carey Street, it would be very easy, in pulling down the houses in Carey Street, to add a few feet to the width of the roadway, and thus give as much access as could be required. I believe the site chosen is the best that could be selected, and in saying this I am satisfied I speak the opinion of all those engaged in legal pursuits. I do not think a single valid objection has been urged against it. As to the Thames Embankment, you might, perhaps, erect a very imposing building there; but you would sacrifice what is the first object which we should have in view—namely, the convenience of the public and all those engaged in legal pursuits.

Mr. HENRY SEYMOUR said, he was afraid the House was going to commit another great blunder in erecting a building, at an immense expense, upon a site where a sufficient access could not be provided, and where the building could not be seen; whereas 100 yards further towards the south the finest situation in London could be obtained, and where now a great public work was being carried on. He had not been convinced, by all the high legal authorities, as to the propriety of the Carey Street site. So many errors had been committed with reference to our public buildings—and every year added to their number—that he believed any Englishman who had travelled through Europe was justified in giving an opinion upon this subject. In other countries we found utility and beauty combined, and the public buildings placed in a fine situation; but here it was the direct contrary—they were going to erect a Palace of Justice which would be inaccessible to the public, and where it could not be seen—while on the Thames Embankment they had a most accessible site, and where any beautiful building could be seen and admired. All our public buildings were a reproach to us in Europe, and he hoped the House would not allow the Government to add to our defects in that respect. He could not put the slightest confidence in the recommendations of the Committee, the constitution of which was very unsatisfactory. It was composed of a Minister of Works, an ex-Minister of Works and one other Member, with three Members added by the Committee of Selection, but the Report was arrived at without any one of the three independent Members being present. On these grounds he should deem it his duty to support the Amendment.

Mr. MALINS said, he considered the Carey Street site to be the best that could be selected, and he earnestly hoped that the Government would not accede to the Motion. It was impossible to disguise from themselves that the result of that Motion, if adopted, would be to defeat the scheme altogether. A plan which had met the universal approbation of the profession of the law had at last been arrived at, and he therefore hoped it would meet with no serious opposition. Carey Street was the site universally approved of by the profession, from its being the centre of the legal world. It was surrounded on the north, south, east, and west by the chambers of the lawyers, and that which would be convenient to the lawyers would be so to their clients, who were the public at large. Should they sacrifice to architectural beauty the convenience of the public and all the other objects which they desired to attain? Mr. Pennethorne's evidence had not been justly dealt with by some Members of the House. No plans had been prepared, it being the intention of the Government to appoint a Commission for that purpose; and the great question, therefore, before the Committee was as to whether the Carey Street site was of sufficient area. It had been abundantly proved that 7½ acres, which the Carey Street site contained, would be abundant for all the accommodation required. The members of the legal profession would rather that the whole scheme were abandoned than that the new law courts should be erected on the Thames Embankment. The approaches obtainable for the Carey Street site would be amply sufficient, because all those who were in the habit of attending at Lincoln's Inn knew that there were very few carriages driving along the approaches during the day, and a comparatively small number of people attended the courts. He contended that the cost of the site on the Thames Embankment would be as great as that at Carey Street, as it would be necessary to purchase property in Essex Street. He did not consider that the hon. Members who had moved and seconded the Amendment were so competent to judge of this matter as the 10,000 legal practitioners who were unanimous in favour of the Carey Street site.

MR. COWPER said, that he had never heard weaker arguments urged in opposition to a Bill than those of the Mover and Seconder of this Amendment. He maintained that an unfair construction had been put upon Mr. Pennethorne's evidence. From the year 1860, every one appeared to agree that 7½ acres would be amply sufficient for the new Law Courts, and in that opinion Mr. Pennethorne himself concurred. He distinctly stated when called before the Committee that the site was sufficient. But supposing for a moment that the Courts of Law could not be properly accommodated on the ground floor, nothing could be easier than to increase the accommodation by placing some of the courts on the first floor. He believed that even without this increase, which could be easily made, 5½ acres would be found sufficient for building, not only for the present but also for future requirements. The site itself was also not limited, because additional property in the immediate neighbourhood could easily be purchased. His hon. Friend behind (Mr. Henry Seymour) had stated that the Bill ought to be re-committed, because it had been considered by a Committee consisting of only three Gentlemen; but that was the number of the Committees on unopposed Bills, among which this measure might practically be included. It was practically an unopposed Bill. A large number of petitions were presented in its favour, and only three against, and those referred not to its principle but merely required alterations in the clauses. It could not be urged that the Members of the Committee were all selected from one side, for one of the Members was the hon. Gentleman the Member for Cambridge University (Mr. Selwyn). Therefore, there was not the slightest ground for re-committing the Bill, because of the constitution of the Committee. If, however, the object were to render this great building subservient to the embellishment of London, it was an object with which he sympathized. From its natural features, the fine buildings about it, and the proximity of the river, the Embankment would be the finest feature of the metropolis. Having introduced the Embankment Bill, he naturally felt desirous that it should be adorned. After full reflection, however, he had come reluctantly to the conviction that it would be totally impossible to place the Courts of Justice upon the Embankment. If erected between Somerset House and the Temple the new courts could not be built in advance of their line of frontage, because if such a course were adopted the appearance of Somerset House and the Temple would be injured. They would, therefore, have to be erected upon that portion of the Strand between Somerset House and the Temple, on which there stood at this moment the best houses to be found in that part of the town. By choosing this site a great sacrifice both of convenience and money would be incurred simply for the purpose of procuring additional beauty and ornament. Although, therefore, having had a great share in forming the Embankment, and being naturally desirous of seeing it lined by fine buildings, he had been obliged to come to the conclusion that the Palace of Justice ought not to be erected there. It was obvious that by adopting this site the chief purpose for which it was proposed to incur this expenditure would be frustrated. The concentration, which they so much desired, could only be obtained by the selection of a site in the immediate neighbourhood of the Inns of Court, the chambers of counsel, and the offices of solicitors. As all the

Inns of Court, with the exception of the Temple, were situate on the north of the Strand, the access to the new courts, if erected between Somerset House and the Temple, would be extremely inconvenient for Gray's Inn and Lincoln's Inn. Barristers from the latter Inn especially would have to make their way through the tangled maze of courts and alleys which by the present Bill were to be swept away to make room for these new courts. The inconvenience consequent upon the distance from the chambers of counsel would fall upon the suitors, whose convenience would be best consulted by a concentration, which would enable them at any moment to procure, if they desired it, the services of those learned gentlemen. The chief difference, however, between the two sites, was one of cost. The Carey Street site was at present occupied by wretched and unhealthy buildings, while that on the south side of the Strand would, from the very nature of the buildings which covered it, be extremely expensive. A competent authority had estimated the compensation in the latter case at about double what would be required in the case of Carey Street. This was too great a price to pay merely for embellishment, and he thought it was not a proposition which could be entertained. The only result, too, of the Embankment site being selected in preference to that in Carey Street, would be the postponement of the erection of these courts. If the Bill were defeated, in the hope of procuring a better site, a vexatious delay would be occasioned, which would continue the present waste of time, and the separation of the Courts, which nearly the whole profession concurred in regretting.

Mr. ARTHUR MILLS said, this question had been viewed in two lights, the architectural and philanthropic. It was said the Carey Street site, as proposed in this Bill, would dispossess a number of poor people. That point had been got rid of, as it was shown that the removal of these houses would be a benefit to the poor people themselves. As to the architectural view, he thought the House ought not to allow itself to be influenced by that, since in very many cases where it had been considered the result had been far from satisfactory. The simple question for the House was whether this site was the most convenient. He thought it was, and that the object of the Amendment was simply to defeat the Bill altogether.

Mr. CRAWFORD wished to point out one feature connected with the Thames Embankment which had not been noticed. One of the arguments in favour of selecting that site for the Courts of Justice was its presumed cheapness; but it should be remembered that the Courts of Justice were for the benefit of the whole nation, while the cost of constructing the Thames Embankment was defrayed by the ratepayers of the metropolis. It would not be fair to deprive the ratepayers of the improved value of the property which their outlay had created. He might also observe that the site on the Thames Embankment would be as inconvenient to the great body of solicitors whose offices were in the City, as the present arrangement of the courts sitting at Westminster.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3. (Description of Purposes of Act.)

Sir WILLIAM JOLLIFFE expressed a hope that care would be taken to acquire sufficient land to insure proper access to the new courts, and that there would not be the same necessity as had arisen in the case of the new Foreign Office of purchasing additional land to provide proper approaches. It was bad policy, first, by the outlay of public money to increase fourfold the value of surrounding property, and then to purchase at that enhanced value.

Mr. COWPER assured the right hon. Gentleman that every care would be taken to make proper approaches, and he thought he might venture to state that there would be good access to the new courts, on all sides of the building.

Clause *agreed to.*

Remaining clauses *agreed to.*

House *resumed.*

Bill *reported,* without Amendment; to be read 3° *To-morrow.*

COURT OF CHANCERY (IRELAND) BILL.

[BILL 6.]—[*Mr. Attorney General.*]

COMMITTEE.

Order for Committee read.

The ATTORNEY GENERAL, in moving that the House should go into Committee on the Bill, said, it had originated in the Report of the Commission appointed in 1862 to consider the measures which should be taken for the purpose of removing, as far as might be, the differences in the administration of justice in the courts of equity and of common law in England and in Ireland. This Bill dealt only with jurisdiction in equity; the other branch of the subject remained to be dealt with hereafter. As to the principle of the measure, it was one which would, he thought, excite no difference of opinion, for it rested on the desirability of assimilating as far as possible equity procedure in Ireland to the procedure of England. Until 1850 there was substantially but one system in operation in the courts of equity on both sides of the Channel. In that year a measure was introduced for the improvement of Chancery procedure in Ireland. It was not founded upon any inquiry by Commissioners, and the principal change introduced was that the old mode of commencing and prosecuting suits by regular pleadings and issues joined was put an end to and procedure by petition substituted. It was provided that whoever desired to prefer any claim to relief in the Irish Court of Chancery might present a petition in which he stated his case, and verified that petition in a certain sense by a short affidavit, saying that everything he asserted was true to his knowledge or belief. Thus the suit was launched; and if the petition so verified was not met by counter allegations on oath, it was held that the defendant admitted everything which was stated by the plaintiff. The burden of proof being thus shifted and thrown on the defendant, he told his own story, traversed the case of the petitioner, and his statement was held to be true until contradicted on oath. But then the plaintiff was again at liberty to traverse the statements of the defendants. The war of affidavits was thus prolonged indefinitely; there was no regular pleading; the parties might travel into all sorts of irrelevant matter; and great inconvenience resulted. The working of the whole system was very graphically described by Mr. Smith, a witness who gave answers to the questions circulated by the late Commission, as "a sort of competitive examination in swearing, little calculated to subserve the cause of truth or the interests of justice." In the very next year, 1851, a Commission was appointed, consisting of very eminent persons in the law, with others, to inquire into the system of Chancery jurisprudence and procedure in England. They reconsidered the whole subject and did not think fit to adopt the new Irish system, but recommended extensive reforms in the old mode of pleading, cutting off excesses and superfluities and the abuses to which that system was liable. Their recommendations were afterwards embodied in two Acts of Parliament. One abolished the Masters in Chancery and substituted a system under which it was intended that the Judges, with the assistance of Chief Clerks, should work out their own decrees, under their own superintendence, in their own chambers. The other carried into effect all the improvements recommended in the then existing procedure. Besides introducing the peculiar procedure he had described, the Irish Act of 1850 had provided for the immediate reference to the Masters in substance of the entire conduct of a large variety of very important suits. Thus there grew up an original jurisdiction exercised in their chambers in the absence of the public and even of the profession beyond those immediately engaged in the case, and important questions of law were there determined. Personally the Masters exercised this jurisdiction very creditably; but their decisions were not reported, were frequently inconsistent, and had little authority. In England the working of the Masters' offices was in many respects similar; but, as he had said, the Chancery Amendment Acts abolished them, transferring their business to the Judges, aided by the Chief Clerks, but maintaining, with the necessary reforms, the old system of procedure. Of course every human system had its imperfections, and even systems good in themselves would in their working not always be found equally satisfactory. On the whole, however, the working of the system introduced by these Acts of Parliament in England had been answerable to the expectations of those who framed them. Under these circumstances a Commission was appointed in 1862 to inquire what ought to be done with a view to get rid of the differences in the modes of administering the law in the two countries. That Commission consisted not, indeed, of all the most eminent men in the country, for his right hon. and learned Friend (Mr. Whiteside) was not a Member of it. He wished that his right hon. Friend had been a Member of the Commission, for then it was probable that there might have been greater unanimity than was likely on this occasion. Having regard, however, to the necessity of limiting the number, and of having some Members from each country, representing both common law and equity, it would have been difficult to appoint a Commission likely to make a more satisfactory Report on the subject referred to them. The Commission consisted of the Master of the Rolls (Sir John Romilly), the hon. and learned Member for Belfast (Sir Hugh Cairns), the ex-Lord Chancellors of Ireland, Napier and Blackburn, Chief Justice Monahan, Justice O'Hagan, then Attorney General for Ireland, and others. That Commission recommended the measure which the Government in substance had introduced. They took a good deal of evidence, particularly from Ireland, and they collected the opinions of many eminent persons who had considerable knowledge and experience of the subject. The result was, that there was a general agreement of opinion as to the propriety of assimilating the practice and procedure of the two countries, and of taking the English practice as the basis of that assimilation. One reason assigned for making that recommendation was, that both countries would be able to take advantage of the body of decisions which might be given in one country or the other. Again, appeals from the Irish Court of Chancery were heard in the House of Lords, and assimilation of the two systems would be a great advantage, because, as long as they were different, wherever there might be a competition between the English and Irish systems in points which ought to be substantially governed by the same principles, a Court of Appeal sitting in England would have a tendency to decide in conformity with the system with which it was most intimate. It was the general opinion among the witnesses that, on the whole, they would prefer adopting the English system; and there was also a great preponderance of opinion in favour of abolishing the Masters and allowing each Judge to work out his own decisions in his own chambers. With regard to procedure there was some difference of opinion; but the tendency was in favour of the English system—at least to the extent that was recommended by the Commission. The Incorporated Law Society had petitioned in favour of the Bill. The usual course when Government had taken charge of a subject of this kind and had introduced a measure was, that any one who differed from their views in matters of detail should wait till the Bill got into Committee, and then propose Amendments. The right hon. and learned Gentleman opposite (Mr. Whiteside), however, had taken the unusual course of introducing a rival measure of his own, or rather two measures. He was happy, however, to say that, except upon points of detail, there was little difference between him and the right hon. and learned Gentleman — save that the right hon. and learned Gentleman proposed to do in two Bills what the Government proposed to do in one. The Government did not think it necessary, like the right hon. Gentleman, to propose the appointment of two Vice Chancellors. They believed that one, at a salary of £4,000 a year, would be sufficient. The salaries which the right hon. and learned Gentleman contemplated were not mentioned in his Bill, so that he was unable to give a comparative view of the expense of the two measures. The proposition of the Government was to create one office of Vice Chancellor, at a salary of £4,000 a year; a Chief Clerk to the Vice Chancellor, and also a Chief Clerk to the Master of the Rolls, commencing in each case at salaries of £800 a year, and rising by a graduated scale to £1,000. The total cost, therefore, would be, according to circumstances, £5,800 or £6,000 a year. Some further officers would be requisite; among them one of assistant registrar and four junior clerks, entailing an outlay of somewhat exceeding £2,000; but as these positions were to be filled by existing public servants the extra charge under this head to the public would only be about £200. In case circumstances should render it absolutely necessary, power was taken in the Bill still further to increase the machinery of the Irish Equity Courts to the extent of a further amount of £4,500 annually; that, however, would be the maximum of expenditure, and it was not at all likely that it would be reached. On the other hand, the total saving that would ultimately be effected under the Bill, and which would have to be set off against this new expenditure, exceeded £10,300 annually; but, of course, the whole of this would not be realized till the claims of the present holders of office were satisfied or extinguished. The House would probably be of opinion that two Vice Chancellors were not necessary; but in any event they would, he trusted, regard as objectionable the proposal to determine by the Bill the gentlemen who ought to be appointed. The right hon. Gentleman asked them to declare that one of the Vice Chancellorships should be offered in the first instance to the senior Judge of the Landed Estates Court; in case of his refusal, to the second Judge, and in like manner to the third Judge. The second Vice Chancellorship, according to his scheme, was to be tendered first for the acceptance of the senior Master in Chancery, and so on in rotation. This method of limiting the pleasure of the Crown, acting on the opinion of its responsible advisers, was highly objectionable, as well as novel in principle. The Judges of the Landed Estates Court, he was prepared to admit, were gentlemen of the highest respectability and worth, who had discharged the duties of their office in a manner deserving the highest praise. To the Masters in Chancery also he wished to allude with the fullest acknowledgment of the services they had rendered. But was it reasonable, was it wise, was it in accordance with the experience and judgment of his right hon. Friend, to ask the House blindfold to adopt a rule which might prevent them getting the men best qualified for the positions to be filled? The House must see at once that if particular persons were brought by name under the notice of the House, personal discussions of the most invidious character might be excited, and therefore he hoped this proposition of the right hon. and learned Gentleman would not find favour. The next point of difference was as to the Chief Clerks. The right hon. and learned Gentleman said, "Do what you will, at all events avoid the office of Chief Clerk," and he appeared to attach great importance to that suggestion. The first question that arose upon that point was—did the hon. Gentleman avoid that office in his Bill? He (the Attorney General) undoubtedly proposed to adopt the nomenclature of the English Court of Chancery in cases where the offices were practically similar. The right hon. and learned Gentleman said, in his Bill, that it should be lawful for the Lord Chancellor to attach to each Judge an officer, to be called an Examiner. But that officer would, in point of fact, be a Chief Clerk, for he would have not only to assist in examining titles, but he would have to assist the Judge in the general business of the Court. He defied the right hon. Gentleman to show any practical distinction between the office he proposed to create and that of a Chief Clerk in the English Court of Chancery. What, therefore, could be gained by a simple change of name when the office was the same to all intents and purposes? The duty of a Chief Clerk was to meet the parties in a cause, and to go through the figures and papers and all matters of detail with them; they having a right, whenever a matter of controversy arose upon questions of fact or law, to go before the Judge, and to have the advantage of his personal judgment on the subject in dispute. Some people in Ireland, including many gentlemen of eminence, apparently thought it would be preferable for the Judge to give his personal attention to every matter of detail and account in every cause which came before him; but in that case the Court would be completely blocked up, and its business would be practically put an end to. The right hon. and learned Gentleman further said that the Examiner might or might not be a barrister; but he (the Attorney General) thought there were many sound reasons for giving the appointment exclusively to members of the other branch of the profession. In the first place, the Judge would be strictly responsible for what was done under his directions; secondly, there would be greater security for that deference and feeling of subordination towards the Judge which, in the relation in which he would stand towards such an officer, was indispensable, if the officer were not taken from the same ranks to which the Judge himself, while at the bar, had belonged; thirdly, because it was only fair, that there should be some offices of importance, to which solicitors should have a preferable claim; and lastly, to avoid the expense of unnecessary attendances of counsel, who would attend before a barrister, but would not before a solicitor. He believed it would be found in the end that the right hon. and learned Gentleman and himself differed more in name than in substance with regard to this office.

Coming to the other points of the Bill, he was very much gratified at being able to state that the remaining differences between himself and the right hon. and learned Gentleman really came within a small compass, although he did not by by any means wish it to be inferred that greater unanimity than was likely on this occasion. Having regard, however, to the necessity of limiting the number, and of having some Members from each country, representing both common law and equity, it would have been difficult to appoint a Commission likely to make a more satisfactory Report on the subject referred to them. The Commission consisted of the Master of the Rolls (Sir John Romilly), the hon. and learned Member for Belfast (Sir Hugh Cairns), the ex-Lord Chancellors of Ireland, Napier and Blackburn, Chief Justice Monahan, Justice O'Hagan, then Attorney General for Ireland, and others. That Commission recommended the measure which the Government in substance had introduced. They took a good deal of evidence, particularly from Ireland, and they collected the opinions of many eminent persons who had considerable knowledge and experience of the subject. The result was, that there was a general agreement of opinion as to the propriety of assimilating the practice and procedure of the two countries, and of taking the English practice as the basis of that assimilation. One reason assigned for making that recommendation was, that both countries would be able to take advantage of the body of decisions which might be given in one country or the other. Again, appeals from the Irish Court of Chancery were heard in the House of Lords, and assimilation of the two systems would be a great advantage, because, as long as they were different, wherever there might be a competition between the English and Irish systems in points which ought to be substantially governed by the same principles, a Court of Appeal sitting in England would have a tendency to decide in conformity with the system with which it was most intimate. It was the general opinion among the witnesses that, on the whole, they would prefer adopting the English system; and there was also a great preponderance of opinion in favour of abolishing the Masters and allowing each Judge to work out his own decisions in his own chambers. With regard to procedure there was some difference of opinion; but the tendency was in favour of the English system—at least to the extent that was recommended by the Commission. The Incorporated Law Society had petitioned in favour of the Bill. The usual course when Government had taken charge of a subject of this kind and had introduced a measure was, that any one who differed from their views in matters of detail should wait till the Bill got into Committee, and then propose Amendments. The right hon. and learned Gentleman opposite (Mr. Whiteside), however, had taken the unusual course of introducing a rival measure of his own, or rather two measures. He was happy, however, to say that, except upon points of detail, there was little difference between him and the right hon. and learned Gentleman — save that the right hon. and learned Gentleman proposed to do in two Bills what the Government proposed to do in one. The Government did not think it necessary, like the right hon. Gentleman, to propose the appointment of two Vice Chancellors. They believed that one, at a salary of £4,000 a year, would be sufficient. The salaries which the right hon. and learned Gentleman contemplated were not mentioned in his Bill, so that he was unable to give a comparative view of the expense of the two measures. The proposition of the Government was to create one office of Vice Chancellor, at a salary of £4,000 a year; a Chief Clerk to the Vice Chancellor, and also a Chief Clerk to the Master of the Rolls, commencing in each case at salaries of £800 a year, and rising by a graduated scale to £1,000. The total cost, therefore, would be, according to circumstances, £5,800 or £6,000 a year. Some further officers would be requisite; among them one of assistant registrar and four junior clerks, entailing an outlay of somewhat exceeding £2,000; but as these positions were to be filled by existing public servants the extra charge under this head to the public would only be about £200. In case circumstances should render it absolutely necessary, power was taken in the Bill still further to increase the machinery of the Irish Equity Courts to the extent of a further amount of £4,500 annually; that, however, would be the maximum of expenditure, and it was not at all likely that it would be reached. On the other hand, the total saving that would ultimately be effected under the Bill, and which would have to be set off against this new expenditure, exceeded £10,300 annually; but, of course, the whole of this would not be realized till the claims of the present holders of office were satisfied or extinguished. The House would probably be of opinion that two Vice Chancellors were not necessary; but in any event they would, he trusted, regard as objectionable the proposal to determine by the Bill the gentlemen who ought to be appointed. The right hon. Gentleman asked them to declare that one of the Vice Chancellorships should be offered in the first instance to the senior Judge of the Landed Estates Court; in case of his refusal, to the second Judge, and in like manner to the third Judge. The second Vice Chancellorship, according to his scheme, was to be tendered first for the acceptance of the senior Master in Chancery, and so on in rotation. This method of limiting the pleasure of the Crown, acting on the opinion of its responsible advisers, was highly objectionable, as well as novel in principle. The Judges of the Landed Estates Court, he was prepared to admit, were gentlemen of the highest respectability and worth, who had discharged the duties of their office in a manner deserving the highest praise. To the Masters in Chancery also he wished to allude with the fullest acknowledgment of the services they had rendered. But was it reasonable, was it wise, was it in accordance with the experience and judgment of his right hon. Friend, to ask the House blindfold to adopt a rule which might prevent them getting the men best qualified for the positions to be filled? The House must see at once that if particular persons were brought by name under the notice of the House, personal discussions of the most invidious character might be excited, and therefore he hoped this proposition of the right hon. and learned Gentleman would not find favour. The next point of difference was as to the Chief Clerks. The right hon. and learned Gentleman said, "Do what you will, at all events avoid the office of Chief Clerk," and he appeared to attach great importance to that suggestion. The first question that arose upon that point was—did the hon. Gentleman avoid that office in his Bill? He (the Attorney General) undoubtedly proposed to adopt the nomenclature of the English Court of Chancery in cases where the offices were practically similar. The right hon. and learned Gentleman said, in his Bill, that it should be lawful for the Lord Chancellor to attach to each Judge an officer, to be called an Examiner. But that officer would, in point of fact, be a Chief Clerk, for he would have not only to assist in examining titles, but he would have to assist the Judge in the general business of the Court. He defied the right hon. Gentleman to show any practical distinction between the office he proposed to create and that of a Chief Clerk in the English Court of Chancery. What, therefore, could be gained by a simple change of name when the office was the same to all intents and purposes? The duty of a Chief Clerk was to meet the parties in a cause, and to go through the figures and papers and all matters of detail with them; they having a right, whenever a matter of controversy arose upon questions of fact or law, to go before the Judge, and to have the advantage of his personal judgment on the subject in dispute. Some people in Ireland, including many gentlemen of eminence, apparently thought it would be preferable for the Judge to give his personal attention to every matter of detail and account in every cause which came before him; but in that case the Court would be completely blocked up, and its business would be practically put an end to. The right hon. and learned Gentleman further said that the Examiner might or might not be a barrister; but he (the Attorney General) thought there were many sound reasons for giving the appointment exclusively to members of the other branch of the profession. In the first place, the Judge would be strictly responsible for what was done under his directions; secondly, there would be greater security for that deference and feeling of subordination towards the Judge which, in the relation in which he would stand towards such an officer, was indispensable, if the officer were not taken from the same ranks to which the Judge himself, while at the bar, had belonged; thirdly, because it was only fair, that there should be some offices of importance, to which solicitors should have a preferable claim; and lastly, to avoid the expense of unnecessary attendances of counsel, who would attend before a barrister, but would not before a solicitor. He believed it would be found in the end that the right hon. and learned Gentleman and himself differed more in name than in substance with regard to this office.

Coming to the other points of the Bill, he was very much gratified at being able to state that the remaining differences between himself and the right hon. and learned Gentleman really came within a small compass, although he did not by by any means wish it to be inferred that the matters upon which they disagreed were without importance. The right hon. and learned Gentleman, with regard to the points affecting the procedure of the court, had, in the main, followed the opinion of a most eminent legal personage, whose judicial learning and acumen were universally respected — he meant the Master of the Rolls in Ireland. That learned Judge had published a pamphlet expressive of his views, and containing certain reasons for preferring, in several points, the practice of the Irish Court of Chancery to that of England. The right hon. and learned Gentleman had in a great measure reproduced those opinions in his Bill; but he (the Attorney General) could not agree with all the provisions therein sought to be introduced in accordance with the existing Irish system. By the measure of the right hon. and learned Gentleman, the plaintiff in Chancery would be permitted, by a verifying affidavit, to swear that everything contained in his Bill before the Court which related to his own knowledge was true, and that what was not within his knowledge he believed to be true. The *onus probandi* was then to be thrown on the defendant. This verifying affidavit was perfectly worthless, and he was afraid that the mere requirement of it would operate as a premium on loose swearing. They would never keep a man out of Chancery by requiring him to file an affidavit of this kind. This was not his own view merely —he found that some of the most eminent men at the Irish Bar held the same opinion. Mr. Warren stated that the affidavit had come to be considered little more than a matter of form, and it was very embarrassing in the future prosecution of the suit. The House would see how it was embarrassing. Many a man, an honest suitor, did not know how to shape his case when he went into Court. It was not until the case had been sifted, until the suitor got a discovery from his adversary and the documents, that he knew exactly how the case stood. A man should not be called upon to swear in that kind of way. When the proper time came, let him give his evidence upon oath of that only which he knew. Mr. Smith took the same view of the matter. He said that the system led to competitive swearing little calculated to serve the cause of truth and justice. But the great advantage which was supposed to be derived from it was more objectionable still. It seemed to him the *ne plus ultra* of injustice that such an affidavit should invert the *onus probandi*. A man put an affidavit upon the file in the common form. He might know nothing at all, or certainly not a great deal, of the facts; his statement of his belief as to things which he did not know would not be received as evidence, for a moment, in any court of justice; he could not even be asked a question about it, when examined in chief, in the witness-box; and yet, forsooth, he was in this way to throw the burden of proof upon his opponent. That was the system which his right hon. Friend wished to preserve. Why should that be allowed in Chancery which was permitted nowhere else? By another provision in the right hon. Gentleman's Bill, interrogatories could not be filed by the plaintiff without the special leave of the Court. Now, he had always thought that one of the principal objects of a Bill in equity was discovery, and that a party in a suit had a right to sift the conscience of his adversary, and get from him all the facts within his knowledge. His right hon. and learned Friend made it another great point in favour of his own Bill that it abolished demurrers altogether. The Bill of the Government abolished all demurrers except those for want of equity and for multifariousness. Thus they would get rid of merely formal demurrers, and retain demurrers of substance. There were cases in which great expense and vexation were avoided to litigants by means of demurrers. In many instances the question at issue turned upon a point of construction or a question of right under an instrument, or some other matter equally clear upon the pleadings, where the grossest injustice might be done by allowing a man to drag his adversary through a series of interrogatories and answers when it was plain, upon his own showing, that he had no right to come into court at all. Such cases were most properly met, and could only be met by demurrers for want of equity or for multifariousness. It seemed, also, that in Ireland those gentlemen whose minds had been led by their experience to conceive a just and righteous horror of the working of cause petitions in that country, were alarmed lest they should be retaining or bringing back the evils of that system if the English practice of moving for a decree were introduced. Every one acquainted with the operation of the practice of moving for decrees in England would say that that was an idle alarm. That practice was found to be very salutary and beneficial in England, and to be unattended by any of the evils which had arisen from the Irish cause petitions; and there was no reason to apprehend any mischievous consequences from its introduction into Ireland.

Another provision of the measure proposed by the Government was that it should not be competent for any defendant in any suit commenced by Bill to take any objection for want of parties in any case to which certain rules, specified in Clause 68, should extend. In Ireland there was no rule as to want of parties which could be called settled or inflexible; but if at any stage of the case, even at the final hearing, the court discovered that there were persons absent from the record whose interests were concerned, and whom it was important to find, the court might make an order *nisi* to bind those persons unless they showed cause to the contrary. That, he thought, was carrying matters to an inconvenient and dangerous extent. There remained one other subject on which, when they got into Committee, he should be disposed to listen without prejudice to any argument from his right hon. and learned Friend. He alluded to *vivâ voce* examinations. That was one of the most difficult and the least satisfactory branches of the English system; but if it were found to be consistent with the proper despatch of public business in Ireland that all *vivâ voce* examinations should take place before the Judge in court he should not on his own part interpose any objection, although certainly he should wish to have the opportunity of communicating with those in Ireland who were most conversant with that matter.

He had now stated the various points on which his Bill differed from that of his right hon. and learned Friend; the whole subject could be most conveniently discussed on the Government Bill, and he thought no useful purpose would be served by dealing with it in any other way.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Attorney General.*)

MR. WHITESIDE said, he thought the Bill which his hon. and learned Friend had described with so much ability should be referred to a Select Committee—not for the purpose of defeating a good Bill, but for the purpose of making a good Bill, which it was quite clear the Government Bill was not. The statement of his hon. and learned Friend attested his conviction of the importance of the questions raised by this measure, which were among the most interesting that could be submitted to the attention of an enlightened jurist. His hon. and learned Friend first of all spoke of the frame of his Bill. Now, he (Mr. Whiteside) objected to the frame of the Bill. It was clear that the patronage portion of it was considered its most important part, and it had been dealt with as they sometimes dealt with a money Bill—tacking a clause to it, because they were determined the Lords should pass it. The constitution of the Court and its procedure were mixed up together. The two were entirely distinct. He had, therefore, placed on the table two Bills, one of which related to the constitution of the Court and the other to procedure. And for this reason. How had the present movement originated? In another place the Marquess of Clanricarde had discussed the relative costs of proceedings in the Courts of Chancery in England and Ireland, and the result of that discussion was that a Commission was issued to inquire as to the reduction of costs to suitors and the expenditure of the public money. But the Report of that Commission was of a most extraordinary character. The reference to the Commission was to inquire into the means of reducing the costs to the suitor. That was quite legitimate and proper. There could not be a more desirable thing than to reduce the cost of proceedings; because, although it was no doubt very well to get easily into the Court of Chancery, it was still more important to get out of it as cheaply as possible. The next object of the Commission was to inquire into the procedure, practice, and fees of the Court of Chancery in Ireland; and they were also to inquire into the difference between the constitution and form of practice of the Court of Chancery in England and Ireland. They took the last subject first; but what was most extraordinary was that the relative costs of procedure in England and Ireland was entirely passed over, not a single question being asked with regard to it. There was not one word in the Report upon this all important subject—the real object of the Marquess of Clanricarde in moving in the matter. It would be his duty to prove that, so far from lessening costs, this Bill of his hon. and learned Friend the Attorney General would much more than double them in the Court of Chancery in Ireland. The Bill would involve the creation of new places to the amount of £10,000 or £12,000 a year. The expenses of the staff was a small consideration compared with the administration of justice; but the Bill proposed to repeal every clause of the Chancery Regulation Bill, except the clause relating to pensions. Who carried the Bill of 1850? The Master of the Rolls, Sir John Romilly, who had signed the recommendations on which the present Bill was founded. But he preferred on certain points the deliberate opinion of Sir John Romilly expressed in that House some few years ago, supported by the most eminent men at the Chancery Bar, and not altogether unassisted by men whose names commanded considerable respect on this subject. By the Bill carried in 1850 it was enacted that parties taking certain proceedings in the Court of Chancery in Ireland must make affidavit that what was stated therein was true. Now, he found upon referring to the Act of Parliament that it was enacted that when a petition was presented it was to be verified by affidavit according to the form set down in the schedule of the Act; and that form was to this effect—the petitioner declared that so much of the petition as related to his own acts and deeds was true, and so much as related to the acts and deeds of others he believed to be true. That was the form which was so much censured by his hon. and learned Friend. Was it not right that a plaintiff who was about to put his adversary to an oath should be obliged to verify his petition by an oath also? The Master of the Rolls, in support of the change, stated that the effect of it would be to bring the matter at issue much more speedily before the Court, and the practice of filing pleas and demurrers, which led to so much delay, would be put an end to. But the extraordinary part of the legislation now proposed was this — that they were called upon to go back to all the technicalities which they had got rid of fifteen years ago. Again, the Master of the Rolls recommended his measure on the ground that it would enable the Court to take *vivâ voce* evidence; but now it was proposed to restore the very mode of taking evidence which Sir John Romilly had condemned. Mr. John Sadlier, whose authority he would not wish to quote upon some other points, but whose experience as an attorney entitled his opinion to weight on this, said that written evidence was futile. Mr. Henley was of opinion that it would be impossible to resist the extension of the improvement to England. His right hon. Friend the Member for Cambridge University (Mr. Walpole) gave, it was true, a more qualified opinion, for he held that to expedite the business in Chancery the proceedings in the Masters' offices should be thoroughly reformed. But when Lord St. Leonards came to Ireland that very thing was done. Sir John Romilly also quoted the opinion of the late Mr. Bell, who said that in all his experience he had never cross-examined a witness unless he could examine him in chief, or cross-examine him on the ground of interest.

THE ATTORNEY GENERAL said, he did not propose to go back to the old system. In England they had entirely got rid of the system of interrogatories, and the examination was *vivâ voce* not only in substance, but in form.

MR. WHITESIDE said, it was to be done in a dark chamber, and that was the very thing to which he objected. The Master of the Rolls was strongly opposed to it, and here it was to be observed that the reformers were the Judges, and the anti-reformers the Law Officers of the Crown. He had seen a few days ago in Ireland an examination despatched in an hour which if conducted in a dark chamber would have lasted two or three days. The Master of the Rolls also said that the system of the Court of Chancery at that time amounted in a great measure to a denial of justice, and it was admitted by Mr. Pemberton Leigh that nobody could venture into that court unless the sum at stake was at least £1,000. An opinion was also expressed by a gentleman not then so well known to the House as he was now, but nevertheless admitted to be skilful, discreet, and learned, and that gentleman was Mr. Roundell Palmer. Mr. Roundell Palmer was then fresher and younger than now—he would not say more learned, but he was quite as competent to pronounce an opinion upon those principles which he had that night denounced with so much ability. He could not allow his hon. and learned Friend to escape. Mr. Roundell Palmer said it was an opinion very uniformly entertained that a very extensive reform must be carried out on such a principle as was incorporated in the Bill, and that such a remedy was absolutely necessary to restore efficiency and complete utility to the Court of Chancery both in England and Ireland. His hon. and learned Friend proceeded to say that the former system had brought discredit on the Court of Chancery; that practitioners in the Court were as nearly unanimous in favour of the principle of the measure as possible, and that a Bill formed upon the same principle ought to be applied to the Court of Chancery in England also. He would refer to Mr. Headlam as another authority who had spoken strongly of the value of sending cases for administration directly to one Judge, and said some of the great defects of the Courts of Chancery in London were the expensive and voluminous proceedings, and the great mass of documents that were accumulated in consequence of all the evidence having to be in writing. The Bill passed for Ireland provided a remedy for these, and enabled the Master to dispose of all orders of the court. Mr. Keogh also said during the discussion that the Bill would be regarded as a boon to Ireland, and he censured very severely, with that eloquence which belonged to him, an unfortunate English gentleman who had ventured to open his lips — Vice Chancellor Stuart. Sir Page Wood found in the Bill the principles he admired, and recommended it to the House as one that would pull up old abuses by the roots, and he contended that the same principles ought to be adopted in England. The present Lord Chief Justice, when speaking on the same subject, derided the lawyers who objected to changes, and said if a measure were brought in to alter the constitution the lawyers would be quiet, but if it were to touch a cobweb in Westminster, the lawyers would be up eagerly opposing it. The measure, he said —

> "Was calculated to work a most salutary reform in the proceedings of the Court of Chancery in Ireland, and if extended to England he had no doubt it would be found to work with equal advantage here."

And he wound up by saying:—

> "He wished, as a member of the legal profession, to express his unbounded acknowledgments and grateful thanks to his hon. and learned Friend for having taken up a course of legal reform in that House, which would be most gratifying to the public, and which showed that he was treading in his father's footsteps and was likely to add lustre to the honoured name which he bore."

Was it possible that the Government was now going to destroy a Bill which had the approval of such men, and which had proved one of the greatest blessings that Ireland had obtained from the Government of England for a long time? In the Bills which he had himself introduced he had yielded a great deal in order to get rid of opposition, but he could not yield those principles which these eminent men had approved in 1850, and which had been acted on ever since. In regard to the mode of verification proposed by the Bill now before the House, he contended that the measure would overthrow the Act of Parliament which had been found to work so satisfactorily. In England the vocations of the Master were added to the Vice Chancellor, and in Ireland the powers of the Vice Chancellor were given to the Master. In the 15th section of the Irish Act, it was enacted that all suits should go direct to the Master, and now it was proposed to introduce a Chief Clerk in the proceedings. He quite agreed that it was of great advantage that one mind should begin, continue, and end the cause; but the Attorney General, while professing to be in favour of the principle, by introducing the Chief Clerks, created the very evils he deplored. After all, the principal question, so far as the suitor was concerned, was the question of costs. When sitting upon a Committee for the re-arrangement of the County Court Acts for Ireland, the Irish Chancery Act was brought prominently before him, and it was found to be a most useful measure. That Committee had to consider how cases under £200 should be dealt with, and they recommended that County Court Judges should be empowered on moderate terms to wind up suits under that amount. A question had arisen within a few days in England as to what was to be done with cases between £200 and £500. The hon. and learned Gentleman the Attorney General, in arranging his new and costly machinery, seemed to have forgotten what had recently passed in another place. Ireland was too poor a country to pay such excessive costs. By the County Courts Act for England the scale of costs and the fees of the Courts were fixed by the Judges, and he believed they might amount to £10 as against £2 10*s*. in the Irish County Courts. The Lord Chancellor had in the present Session introduced a Bill giving the County Courts of England equitable jurisdiction in cases not exceeding £300. Why was that increased jurisdiction to be given? Lord St. Leonards objected to the second reading. He was unwilling to send litigants, even in small cases, before an inferior tribunal, and he said that questions might arise in cases of no greater amount than £300 as important to the litigants and involving questions of as much nicety as if thousands of pounds were concerned. Lord Cranworth argued that courts which were intrusted with the duty of ascertaining whether debts were due were competent to wind up these small estates, to ascertain who were the creditors, and to divide the assets. The Lord Chancellor reminded Lord St. Leonards of the effect of the reduction already made in the fees of the court. He said—

> "I find that there was a suit instituted in the Court of Chancery to get a decree for some property not exceeding in value £150. The costs amounted to £95 13*s*; but the court fees, the reduction of which is the panacea of my noble and learned Friend, were only £5 7*s*. 6*d*. The next case is something still worse. There was a small suit instituted for the administration of an estate. The whole estate was £400, and the debts on it £100. The costs amounted to £139 8*s*. 8*d*., the court fees being only £9 12*s*."—[3 *Hansard*, clxxvii. 1040.]

And the Lord Chancellor proceeded to express an opinion to which he entreated the particular attention of the Attorney General—

> "The great fault of lawyers is that they become so enamoured of the old system in which they have been bred and in its principles, that they refuse to see anything but good in its application, and they look with suspicion on any plan which is likely to make the form of judicial procedure less elaborate and less costly as likely to cause a departure from that exactness in which they believe justice resides."—[3 *Hansard*, *Ibid*. 1041.]

He did for a moment imagine that the cases cited by the Lord Chancellor must be extreme cases, and he called upon a solicitor in large practice, who assured him, however, that there was nothing remarkable in the costs in those cases, and that he did not see how the suits could be carried through for less. That gentleman added that he himself had several cases in which the costs considerably exceeded those referred to by the Lord Chancellor. He thereupon sent to Dublin and got four bills of costs. In one case the value of the estate was £651, and the cost of winding it up was only £59. In a second case the costs were £49; in a third £42, in a fourth £50 2*s*. He had received a communication from Master Fitzgibbon as to the way in which these Acts were worked out. And he confidently asserted that if a speedy decision at a trifling cost was a desirable object the present practice of the Irish Court had attained that object. The question was, whether substantial justice could be got for the public, and he said that cheap and substantial justice had been obtained. The Masters did the most work, and they were Vice Chancellors under the present system. In a Committee of the House which sat six years ago, of which he (Mr. Whiteside) was a Member, the question was considered whether Masters should be abolished. The Committee, so far from so thinking, agreed that the Masters ought to have an original jurisdiction. They reported that the practice of taking *vivâ voce* evidence in Chancery was a sound one, and that there ought to be a more extensive application of the principle. The Attorney General was accordingly directed to draw a Bill founded in fact upon the practice in the Irish Court of Chancery, and giving the Judges the power of reforming the practice of the English Court. That Bill would have prevented the necessity of even applying to Parliament again on the subject. He was sorry, however, to say that the Judges had refused to agree on the plan proposed. The Committee proposed to give power to the Judges to do by a general order all that the Committee thought necessary for the public good; but the presumption was that the Judges did not think that the proposed changes were required. The Committee admitted that it would be well to allow of a Parliamentary title being given to all landed property, whether encumbered or unencumbered; but then came the question whether the function of dealing with landed estates should be given to the Court of Chancery or to a separate tribunal; and the Committee was not in favour of throwing the additional duty on the Court of Chancery. Accordingly, he (Mr. Whiteside) brought in a Bill under which the present Landed Estates Court was created. He proposed that the work should be discharged by two Judges, but objection was taken to this, and in Committee on the Bill the number was increased to three. That he was right in supposing two would be sufficient to do all the business was evident from the fact that on several days the Judges of the Landed Estates Court rose as early as one o'clock. The business of the court had greatly diminished, for you could not sell the entire soil of a county twice over in twelve or fifteen years. The three Judges of the Landed Estates Court were able men, and had discharged their duties in a very satisfactory manner. Instead, therefore, of appointing some gentleman of the bar to the office of Vice Chancellor, which his hon. and learned Friend proposed to create at a salary of £4,000 a year, he would appoint one of those learned Judges. He said this without having had any communication with them on the subject. He would also, if his hon. and learned Friend's Bill was to pass, amend it by a provision to retain one of the four Masters in Chancery who at present discharged their duties in so efficient a manner. Lord St. Leonards had appointed the best men to be Masters in Chancery; and of all the cases that had come before them three only had been reversed. He desired that one of these officers should have the functions of a Vice Chancellor; but the Masters among them sometimes decided forty causes a day, and it was not to be expected that a Vice Chancellor could do the same. He was quite aware that the moment a man ventured to speak seriously of economy in the public expenditure he involved himself in difficulties; but he must express his conviction that, between doubling staffs and paying pensions, the measure of his hon. and learned Friend would increase the expenditure for the administration of justice by much more than £12,000 a year. He objected to the system of Chief Clerks, and his hon. and learned Friend would not introduce it into Ireland if he could help it. The Judges of the Landed Estates Court had Examiners, and these gentlemen were barristers. If there were to be Examiners, and solicitors were to be appointed to the office, he wished them joy of it; but if asked whether he should prefer to have nice questions of account taken by the Masters in Chancery or by a Chief Clerk, he should unhesitatingly give the preference to the former. Sir James Graham himself advised the House to beware of the system of Chief Clerks. The Examiners in the Landed Estates Court had distributed £30,000,000, and he believed that no one would deny that that distribution had been made to the entire satisfaction of the public. By the practice advocated by his hon. and learned Friend great delay would take place in the progress of the suits, because it was not unlikely that matters which were speedily settled by the plan now adopted would occupy weeks before they were decided by the Chief Clerks. For simplicity and brevity he infinitely preferred the former system. As the public were well satisfied, he should like to see a uniform system adopted in the Landed Estates Court and in the Court of Chancery. At a lecture lately delivered in London it was correctly stated that the increasing power of the Chief Clerks should be viewed with some alarm. He thought that his hon. and learned Friend in seeking to extend to Ireland what was advantageous in England ought to consider more carefully the advantages which that country already possessed. In making a beginning it had naturally been thought better not to engraft the old dilatory proceedings of the Court of Chancery on the Landed Estates Court, but the quick proceedings of the Landed Estates Court upon the slow method employed by the Court of Chancery. Mr. Gibson had expressed his admiration of the simplicity of the Incumbered Estates Court, and the extreme facility which was afforded for personal communication with the Judges. That gentleman also said that it was the feeling of the profession generally that it would be better not to delegate authority to the Chief Clerks. Mr. Adair, in like manner, suggested that the principle of the Incumbered Estates Court should not be abandoned, but that it should be engrafted upon the Court of Chancery. His hon. and learned Friend had said, with an air of triumph, that the body of solicitors generally approved his Bill. Now, he did not believe that those gentlemen would be influenced in favour of a scheme which they did not approve by any hope of place, but he did not believe that his hon. and learned Friend was acquainted with the evidence given by that body. Regarding these gentlemen, as he did, with the greatest possible respect, he had examined their evidence. Those gentlemen said that the Irish Chancery Regulation Act was working well for the public, and had effected a great saving of expense. In answer to questions as to the working of the 15th section, which gave independent jurisdiction to the Master, they approved that section with some modifications. Those gentlemen suggested that a time should be fixed after which no further affidavit should be received. He had acted upon that suggestion, and had framed a clause in his Bill to carry it out. They would have no plea or demurrer, and he had abolished both. They would have no interrogatories without special leave of the Court, and that recommendation he had acted upon in his Bill. They thought that the business before the Chief Clerk should be mere matters of vouching and figures, and he had adopted that view in his Bill. In respect to the question of interrogatories, about which the Attorney General had been so triumphant, he (Mr. Whiteside) thought the system of taking further evidence by an Examiner was vicious, and so thought the Master of the Rolls in Ireland, the Chancellor, and the great body of solicitors. He was at issue with the Attorney General upon that point, but he was fortified by the opinion of the Master of the Rolls, expressed in the able pamphlet which the hon. and learned Gentleman had not answered, and by the practice of the Chancellor, who took evidence himself, and prevented counsel putting useless and irrelevant questions. Then, he would ask, was the House of Commons to surrender its convictions to a blue book, and because certain gentlemen recommended uniformity was a bad practice to be introduced into Ireland? He was authorized by one of the Commissioners to say that this Bill had never been placed before them, nor had their opinion been taken as to the propriety of the mode of obtaining uniformity. Then, the hon. and learned Gentleman the Attorney General urged them to have the demurrer, but the Master of the Rolls in Ireland, with his sixteen years' experience as a Judge, declared that the idea of avoiding expense or preventing delay by means of a demurrer was a simple delusion. The accident of the Master of the Rolls being in London together with a chief officer of the Court of Chancery made it a convenient opportunity for inquiring into the matter before a Committee, which could take into consideration the whole of these Bills. He was told that the number of steps in a Chancery suit in England was double the number of those in a suit in Ireland. The hon. and learned Gentleman concluded by moving that the Bill be referred to a Select Committee.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Bill be committed to a Select Committee,"—(*Mr. Whiteside,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir COLMAN O'LOGHLEN said, he concurred with the right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside) in considering this a most interesting question, not only to the suitors of the Irish Court of Chancery, but to the country at large. Several steps had been taken in the direction of a reform of the Irish Court of Chancery; the first of which was that taken by Sir John Romilly in the year 1850. He was perfectly justified in saying, considering the number of Commissions and Committees that had examined this subject, that it had received every consideration, and the House was qualified to decide the question upon its merits without again referring it to a Select Committee. It was hardly correct of the right hon. Gentleman to say that in proposing the abolition of the Masters in Chancery, and the substitution of a Vice Chancellor, he had yielded to the opinions of others rather than acted upon his own conviction; because that very provision was contained in a measure upon this subject which was brought in in the year 1856, by the right hon. Gentleman himself and Mr. Napier. It was perfectly true, as the right hon. Gentleman stated, that several eminent men, including Sir Page Wood, supported the Bill of 1850; but that was because it was a step in the right direction in the commencement of Chancery reform. The Commission appointed to inquire into Chancery reform in England adopted the principles not of the Chancery Act of 1850, but of the Bill now before the House. The right hon. Gentleman said the expense of proceedings in the Court of Chancery in Ireland was much less than in that of England, but that was a matter of opinion, and he (Sir Colman O'Loghlen) did not believe the Irish system was so cheap as the English. One main principle of the Bill of 1852 was that a suit should be commenced and finished before the same Judge, and the Bill now brought forward by Her Majesty's Government was framed upon that principle. The right hon. and learned Gentleman objected to the Bill introduced by the Attorney General, because it differed from his own by providing for the appointment of a Chief Clerk instead of an Examiner. Now, the right hon. Gentleman in his own Bill really did provide for the appointment of a Chief Clerk, although he called him an Examiner, and the very clause proposing to appoint an Examiner was copied from the clause in the English Chancery Act appointing the Chief Clerk. The words of the two clauses were identical, and the duties of the offices were precisely the same. Another objection taken by the right hon. and learned Gentleman was that the Attorney General's Bill allowed a demurrer. In this matter the opinion of the Commission of 1852 had been, as he believed, rightly followed. With regard to the question of the examination of witnesses, the right hon. and learned Gentleman had made a mistake when he supposed the Bill proposed to introduce the system of interrogatories before the Examiner. All these questions could be discussed and settled in a Committee of the Whole House, and were not of a character which ought to be referred to a Select Committee. It certainly would be most unwise and imprudent to limit the discretion of the Crown in the selection of Judges in the manner proposed by the right hon. and learned Gentleman; and he demurred entirely to the right hon. and learned Gentleman's statement that the Judges of the Landed Estates Court had at present little to do. Their duties took up much time, and would be considerably increased by Bills now before the House. The Attorney General had shown that, even allowing for all the new appointments which would be necessary, £4,000 a year would be saved to the Treasury. The Bill had received the sanction of every man practising in the Irish Court of Chancery and of the Incorporated Society of Attorneys. All the questions of importance at issue between the Attorney General and the right hon. and learned Gentleman opposite were of such a character as ought to be settled, not in a Select Committee, but by a deliberate vote of the House, and the mere matters of detail were so few that they might very properly be disposed of in Committee of the Whole House.

MR. GEORGE supported the proposal that the measure should be referred to a Select Committee, together with the Bill introduced by his right hon. and learned Friend the Member for the University of Dublin. He would remind the House that the Commission which had inquired into that subject did not include either the Lord Chancellor or the Master of the Rolls in Ireland; and he could state that the Master of the Rolls disapproved of many of its provisions. He was surprised not to find in this Bill any reference to the Report of the Committee which had sat upon the same subject. From 1850 to the present time the Masters in Chancery had been acting, with what success was shown by a Return obtained last year, from which it appeared that since the 1st of January, 1851, when increased jurisdiction was given them under Sir John Romilly's Act, down to the 1st of April, 1864, the five Masters made in all 14,443 decretal orders, of which only 134 were appealed against, and but forty-two reversed. As long as these able officers were intrusted with the same powers, it mattered little to the public whether they went by the name of Masters or Vice Chancellors. The Bill of the Government purported to have in view the same objects as the Report of the Commission — namely, to reduce costs to the suitors, to prevent undue expenditure to the public, and to assimilate as far as practicable the procedure of the two countries. But so far from this, the measure would in practice greatly increase the expenditure to suitors, add enormously to the public expenditure, while in the name of assimilation it was proposed to force upon the profession changes some of which were opposed to the wishes and opinions of a very large proportion of the best informed members of the profession in Ireland. The Incorporated Solicitors, he perceived, were now disposed to look favourably on the plan of the Government, though before the Commission they warmly supported the existing system, as administered by the Masters in Chancery. He could scarcely believe that a body of gentlemen so respectable would allow themselves to be influenced by the fact that the Clerks in Chancery were to be chosen exclusively from members of their own profession; but it certainly was remarkable that the change in their opinion was coincident in point of time with this determination on the part of the Government. The Bill proposed to appoint a new Vice Chancellor and a Chief Clerk, to give the Master of the Rolls two additional clerks, and to appoint another registrar and other officers — causing an additional expenditure of £12,500 a year. It abolished at one stroke four Masters in the fullest enjoyment of their faculties, with full will to continue their duties, they would be entitled to pensions, amounting to about £3,000 a year, and there was a shoal of clerks employed in their offices who would also be entitled to compensation. For what purpose was all this waste of money, and why should the country be saddled with such an expenditure? The new offices would cost from £10,000 to £12,000 a year; the retiring pensions to the Masters would amount to much more. No case had been made out for such a scheme, and in times of economy like these the House of Commons would do well to look closely at a Bill which would create a large number of good places, and displace able officers who would become pensioners on the State. The Government made a constitutional difficulty to the appointment of the existing officers to the new offices, but it would be impossible to find Judges more able or more esteemed than those of the Landed Estates Court. It required much to justify the course of proceeding the Bill proposed, and to show how far it was necessary in furtherance of the ends of justice to adopt the scheme proposed in this Bill. With regard to the question whether the Bill would increase the costs to the suitors, he would remind the House that there were some points in which the Irish practice was superior to that of England. For example, though all were agreed on the propriety of abandoning the system of successive affidavits, verification of the pleadings on oath ought not to be lightly abandoned, and the plan now proposed would certainly add to the expenses of the suit. Again, the practice in Ireland with regard to demurrers and pleas was the best, and the Master of the Rolls also disapproved the proposed *vivâ voce* examination before the Examiners, believing that days would be occupied instead of hours, as would be the case, if the examination took place before the Court, and that a large additional expense would thus come upon the suitor. In a country like Ireland it was better to have justice administered, if less elaborately, with less expense to the suitor than was the case in England. It had been shown conclusively that whereas the Commission was intended to save costs to the suitors and lessen the expenditure of public money, the Bill which pretended to carry out the Report of the Commissioners, did exactly the reverse. He and those who thought with him were of opinion that it would be fairer to ask the House to refer the subject to a Select Committee rather than crowd the notice paper with Amendments, which would be numerous and voluminous, and might lead to a great loss of time. If the Government would allow these three Bills to be referred to a Select Committee they would be able in a short time to combine them into a useful and satisfactory measure.

Mr. SCULLY had heard four interesting speeches from four learned Gentlemen, and the details of the Bill appeared to him to be thoroughly threshed out. The real question left for the House was, whether or not the Bills should be referred to a Select Committee. It had been truly said that, in the present case, the bone of contention was the question of patronage, and he thought it would be a wholesome regulation if in a Billl of this sort the practice and procedure clauses were framed by the Government, and the drawing up of the patronage clauses handed over to a patriotic Opposition, in order that the existing staff might be utilized. This the Government Bill did not propose to do. He did not see the use of sending the question before a Select Committee; and, as they had only had some twelve Members present on an average throughout the discussion that evening, they had practically had a Committee quite select enough. The only drawback to that was,. that when the bell rang a number of Members would rush in, and by their blind votes overrule the judgment of those who had carefully attended to the business of the House. He thought it would be advantageous if, in the case of all Commissions of Inquiry into matters of that kind, the Commissioners were directed to frame a Bill to carry out their own recommendations in order that it might be submitted to the Government and Parliament. He regretted that in this case the Commissioners should have entirely overlooked one of the paramount objects for which they were appointed—namely, to inquire how the cost to the suitor and the expense to the public could best be reduced. But he presumed that if the new procedure secured expedition it would necessarily diminish expense. In the Masters' Offices some cases had been going on for ten years, and they seemed likely to continue there for another ten. The Attorney General admitted that his measure would cause an immediate increase of charge to the public of £6,200, and that there might be a still further increase of £4,500. If permission was given for the creation of additional offices, and the incurring of additional expense, they might take it as a settled matter that the extra appointments would be made and the extra money spent.

Mr. WALPOLE said, that the main difference between the Bills before the House seemed to be this—that whereas one of them recommended the appointment of one Vice Chancellor, whose selection was to be left to the responsible Advisers of the Crown; the other Bill recommended the appointment of two Vice Chancellors, whose offices should be placed in the first instance at the option of certain judicial officers now in existence. Of those two principles he much preferred that contained in the Bill of the Government; for he thought that public officers, and especially judicial officers, should be appointed on the the responsibility of the Advisers of the Crown, and it hardly became Parliament to suggest to the Crown the persons who should even have the option of accepting such an office. At the same time it would be for the Advisers of the Crown in the exercise of their discretion to consider whether they should select competent men who held existing appointments, or should give their patronage to other persons. There were some principles involved in the two Bills to which he wished to call attention. Parliament had thought proper to proceed on two entirely different principles in reforming the Courts of Chancery of England and Ireland. In 1850 it proceeded to reform the Irish Court of Chancery on the notion that all these matters could be conducted by cause petitions, and on evidence principally supplied by affidavits. From all that had occurred during the present discussion, he was led to believe that the objections taken to the Bill of 1850 had been completely sustained, and he was glad to find that the Attorney General had adopted the view then advocated. In respect of the English Court of Chancery, the Act of 1852 proceeded on a totally different principle, and was really one of the most successful amendments of the law which had been made in our time. The first credit was due to the Commissioners for the recommendations they made, and great credit was also due to his noble and learned Friend (Lord St. Leonards) for the manner in which those recommendations had been carried out. But there was one point in which that Act was defective. He referred to the Examiner's Office. He did not believe there ever could be a good administration of justice unless the evidence was taken before the Court which had to determine the matter in issue. There was very great difficulty in working out that result; but on that point there were clauses in the Bill of his right hon. and learned Friend (Mr. Whiteside) preferable to those in the Government Bill. There was another defect in the English Act of 1852 with reference to the working out decrees by the Chief Clerk. After the onerous duties of the Judge were got through, the labour imposed on him was too great to attend to the details of the Chief Clerk's office. The Judge was also naturally interested in supporting that officer's position, because he was his own Chief Clerk. These were the points to which he wished to call the attention of the House. Everything else was matter of detail, important indeed, but hardly fit for general discussion in that House. The question then arose, how should they deal with the Bills? If they could secure the attendance of the Attorney General, his hon. and learned Friend the Member for Belfast (Sir Hugh Cairns), and his right hon. and learned Friend the Member for the University of Dublin, and other Members, who really understood the subject, he believed they would be enabled to work out the result better in a Committee upstairs than in a Committee of the Whole House, where the matter would be discussed perhaps in presence of twenty or thirty Members, and divisions carried by those who had not heard the discussion. He should be glad to give his own assistance, either in a Committee upstairs or in a Committee of the Whole House, to put the Bill into as perfect a form as possible.

MR. MALINS confessed, that after listening to the whole of the debate he had seldom found himself more embarrassed. He had thought they were all agreed that the system at work in Ireland was unsatisfactory, and that it required amendment; but he collected from his right hon. and learned Friend (Mr. Whiteside) that he was satisfied, and that the people of Ireland generally were satisfied, with the existing system, subject to some slight correction. If that were so, his hon. and learned Friend, instead of submitting Bills of his own on the subject, should have opposed the measure of the Government upon the second reading. The Government were under considerable disadvantage in legislating on this subject. The Attorney General in dealing with the question must have felt the disadvantage of never having observed the working of a single Irish Chancery suit, and during the debate he had been unsupported by any Members on his own side of the House who had had that advantage, with the single exception of the hon. and learned Member for Clare (Sir Colman O'Loghlen). He had known a good deal of the Court of Chancery in England before the Bill of 1852. His right hon. Friend who preceded him, had correctly stated that the Bill was an enormous improvement. It had corrected a system which was a disgrace to a civilized country.

The country now had as much reason to be proud of the system as it had before to be ashamed of it. There were, no doubt, some defects still—one being as to the mode of taking evidence; and another, the system of proceedings in Chambers by the Chief Clerks; but, upon the whole, it had worked exceedingly well; and if there were imperfections in the Irish system, the proper course would be to extend to Ireland the system in operation here. He quite agreed that the evidence should be taken *vivâ voce* whenever it was practicable; but *vivâ voce* evidence in the Court of Chancery here was impossible, on account of the weight of business, and the system of examination before the Examiner was, he admitted, objectionable. The working out of decrees was also a great imperfection. It could not be denied that a Judge who for six hours of the day had devoted all the energies of his mind to the hearing of causes must be too much exhausted to be able to give three hours afterwards to duties in Chambers. The Court of Chancery had been vastly improved of late years; great expedition was now used; general satisfaction was given, and if there were any defects in the Irish system it was only right that they should be amended. But he could not imagine anything more simple than the plan of defending suits by demurrer, and there could be no more convenient mode of deciding cases, if the facts were agreed upon. Nor could he fall in with the suggestion that the plaintiff should be required to verify his bill on oath, because it might be filed upon imperfect information, and he ought to have the opportunity of improving his case, and it was only to the way in which he ultimately put his case that he ought to swear. Upon the whole he came to the conclusion that it was desirable that the system in England should be extended to Ireland, and, therefore, he felt bound to support the Bill of the Government. During the present debate there had been the greater part of the time four or six Members sitting on the Government side and ten or twelve on the Opposition Benches; but if they sent the Bill to a Select Committee those who were most competent to deal with the subject would not be able to attend. He suggested to his right hon. and learned Friend that he should endeavour to amalgamate his Bill with the Bill of the Government, and the question should then be considered in a Committee of the Whole House.

SIR HUGH CAIRNS said, that a remark had been made that no Irish Member who had served on the Commission had addressed the House in favour of the present Bill, and as he had the honour to be on the Commission he hoped the House would allow him to make a few observations upon it. The object of the Commission was to ascertain which was the better practice, that of Ireland or that of England, in this matter. The first thing which the Commission endeavoured to ascertain was the practice in the Court of Chancery in England and in Ireland, for the purpose of seeing which was the better. They also aimed at discovering the opinion of gentlemen in Ireland who were competent to speak upon the subject, and they therefore examined the Master of the Rolls, Master Litton, and Master Brooke. There were three great points upon which they were examined, the first as to the substitution of compendious printed forms for the old written pleas, the second as to the mode of taking evidence, and the third as to whether the Masters' jurisdiction should be retained or abolished. On the question of written pleadings, the Master of the Rolls said that the English practice was by far the best, that he thought that the English practice of taking evidence ought to be adopted in Ireland, and that the English practice as to Masters was the best. Mr. Litton said that he thought that the system of procedure adopted in England was nearly perfect; and Mr. Brooke said that the most valuable of all reforms would be the adoption of the English practice in the Courts of Chancery in Ireland. Not a single witness before the Commission gave evidence on the other side. On that Commission there were several persons acquainted by experience with the practice in England and in Ireland, and they were unanimous that the practice in England should be introduced into Ireland. The hon. Member for Cork (Mr. Scully) said that the fault he found with the Commission was, that they had neglected to inquire into the question of reducing the costs to suitors —the only question they were appointed to deal with. Now, what the Commission were instructed to inquire into was the differences between the constitution, forms, practice, procedure, and fees of the courts in England and Ireland, with a view to reduce the costs to suitors, and the expenditure of public money on the establishment charges. These were two distinct questions. As regarded the costs of suitors, the Commission knew perfectly well that the very great and cardinal point in which the English system had been successful was the diminution of costs to the suitors. [Mr. Whiteside: No!] My right hon. Friend disagrees. [Mr. Whiteside: Entirely.] He must be allowed to have a little experience in the matter. He knew what the costs were before the new procedure, and he knew what they were now. He knew also what the cost was in Ireland, and what the expenditure of time and money was in Ireland, in arriving at a result, sometimes occupying months and sometimes years, which in this country was arrived at in a few weeks at a very slight expense. The other point was a different matter—that with reference to the expenditure of public money upon the salaries of the Judges and officials. That was a question with which the House was as competent to deal as the Commission, and therefore the Commission did not interfere in that matter. It was not necessary for the Commissioners to do more than make the recommendations they did as to the Judges. The salaries were for the Government to propose and justify to the House. His right hon. Friend the Member for the University of Cambridge (Mr. Walpole) said that if he could mention one respect in which the improvements introduced into this country in 1852 had not been successful, it was the mode of taking evidence and the proceedings before the Chief Clerks. But the House must remember that since the year 1852 the mode of taking evidence had been further extensively altered, and that there was a small amount remaining of the practice of 1852. It was not the practice now, when there was any serious dispute as to facts, to take the evidence before the Examiner, or otherwise than in open court. As to the question of Chief Clerk, he owned there was a great deal of truth in what his right hon. Friend said upon the subject. The practice required most careful watching. He owned, upon the whole, that it had worked successfully up to this time, owing to the very great care which the present Judges of the Court of Chancery had taken never to let go their hold over the proceedings before them; so that whenever a person wished to have a matter heard personally before the Judge he could have heard it before him, instead of before the Chief Clerk. It was impossible for a Judge to transact every minor detail of cases, to go through accounts, and similar business, which could be performed by a Chief Clerk. At the same time there was the danger of allowing the Chief Clerk to go out of his province; and that could only be guarded against by public opinion, and by that House taking care that that officer should not pass out of his jurisdiction and assume more authority than belonged to him. The right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside) had raised a very delicate question connected with the Landed Estates Court in Ireland, by stating that there were more Judges than were required for the business coming before the Court, and suggesting that one of the Judges should be made Vice Chancellor. He (Sir Hugh Cairns) believed that to be quite true; but the remedy was that the Government, if they adopted that view, should not fill up any vacancy that might occur until the opinion of the House of Commons was expressed upon the subject. He did not accept the argument that they should take away a Judge from the Landed Estates Court and make him a Vice Chancellor. It would be dangerous for the House to take that course. The appointment to a judicial office should be made upon the responsibility of the Government. As to the proposal to send the question to a Select Committee, he would say for himself that the Government having in their Bill carried into effect the recommendations of the Commission he would be satisfied that that Bill should be dealt with by a Committee of the Whole House; but, at the same time, the Government would do well to consider whether a greater amount of satisfaction would not arise by complying with the inclination of the House, if there was a general inclination in that direction, and referring these Bills to a Select Committee.

Sir GEORGE BOWYER said, he had had some experience of the Court of Chancery as counsel, and also unfortunately as a suitor, and it was in the latter capacity that he was able to speak of the functions performed by the Chief Clerk. The system of warrants was the great objection to the Masters' offices. The number of Masters should have been diminished, and they should have had a paper of cases as the Judges had. Instead of this the Masters were abolished. Cases now went technically before the Judge in Chambers, but practically before the Chief Clerk. The Masters used to be men of considerable standing at the Bar, and counsel appeared before them. But the Chief Clerk was usually a solicitor, and counsel could not go and argue before an attorney. It was said that the parties could go before the Judge if they were not satisfied with the decision of the Chief Clerk; but this involved additional expense, and the Chief Clerk naturally exercised considerable influence over the Judge. He had heard from many eminent and experienced solicitors that they had great difficulty in knowing how to deal with the Chief Clerks, because they often knew nothing and cared nothing about the law of evidence. Things were thus admitted before the Chief Clerk which would not be admitted in any court in the kingdom, and which were never admitted before Masters in Chancery. The fact was the practice in the Chief Clerks' offices was becoming as bad as it was formerly in the Masters' offices, and before such a system was adopted in Ireland there ought to be an examination before a Select Committee. Another point on which he wished to say a few words referred to the manner in which the judgments of the Court were given. What was the judgment of the Court? It was often a speech made by the Judge, such as might be made in the House of Commons or elsewhere, in which he introduced every possible topic that could support his view of the case. He had heard a Judge make statements in these speeches in regard to matters which were not only not in evidence, but which the parties would not have been allowed to prove in evidence if they had attempted to do so. A Judge sometimes spoke for two hours, and then at the end of his speech there was not a counsel in court who could tell what the result of his judgment was. Counsel endorsed upon their briefs what they supposed the judgment to be, and then the parties went before the Registrar to try and find out what the Judge had decided. There were minutes of decree, attendances of solicitors, and other expenses incurred, and ultimately the parties sometimes had to go back to the Judge and obtain an interlocutory opinion upon the matter. He knew cases in which a Judge had made a speech of two or three hours, but in which two or three months elapsed before the actual decree was settled. But the Judge's speech was reported and became a precedent, although the actual decree of the Court when settled was very different from the speech. Until the Judges were obliged to draw up their own decrees, giving the reasons for those decrees, there would be no reform in the Court of Chancery. He should support the proposition for sending those Bills to a Select Committee.

THE ATTORNEY GENERAL, in reply, reminded the House that both the Bills embodied, to a great extent, the same principle—that of establishing in Ireland the English system; the two Bills also agreed in abolishing the office of Master in Chancery; and really the points of difference between himself and his right hon. Friend the Member for the University of Dublin were reduced to eight matters of procedure, and two important questions as to the constitution of the court, which were peculiarly fitted for discussion in that House rather than for a Select Committee. It was for the House to decide whether certain officers should be appointed, and whether the patronage of the offices they were to fill was to be assumed by Parliament or to rest with the Crown. As to the points of procedure, if these were to be considered by a Select Committee, it was highly probable that those hon. and learned Gentlemen who were most competent to deal with them would not be able to attend the Committee; and the consequence would be that all those points would have to be discussed over again in a Committee of the Whole House. If his right hon. Friend should succeed in getting the House to agree with him, there would be no difficulty in giving effect to his views; and if, on the other hand, he should succeed in carrying the clauses as they stood, he was sure his right hon. Friend would throw no difficulty in the way of having effect given to the pleasure of the House of Commons.

MR. WHALLEY rose to address the House; but the cries for a Division were so loud that but a few detailed sentences of the hon. Member's speech could be heard.

Question put, "That the words proposed to be left out stand part of the Question." —The House *divided:*—Ayes 68; Noes 30: Majority 38.

Main Question, That Mr. Speaker do now leave the Chair, put, and *agreed to.*

Bill *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Thursday* next.

METROPOLITAN HOUSELESS POOR BILL.

[BILL 83.] SECOND READING.

Order for Second Reading read.

MR. C. P. VILLIERS, in moving the second reading of this Bill, said, that if his Motion met with any opposition he should not press it at that late hour. The object of the Bill was merely to continue another which had already expired. As many people were anxious to know whether the measure was to be continued, and as he understood that no opposition was to be offered, he hoped the House would allow the second reading to be carried, and any discussion to take place on the Motion for going into Committee on Monday next.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. C. P. Villiers.*)

MR. BROMLEY thought that a question of such great importance ought not to have been brought on at such a late hour, involving, as it did, the credit of the metropolis, as far as the poor were concerned. [Mr. C. P. VILLIERS: The discussion can be taken in Committee.] He might say, that if he met with any encouragement on the part of the House he should propose to add to the Bill what he regarded as a most important clause when it went into Committee. The right hon. Gentleman had latterly, as he knew, exerted himself very much with a view to amend the condition of the poor; but he did not think that matters were in quite so satisfactory a state as the right hon. Gentleman had led the House to suppose on a former occasion. A glance at the streets would show that they were never so crowded with vagrants as at the present time, and that professional mendicancy had never attained such a height. The newspapers had lately been full of clothes-tearing cases—charges against mendicants who had gone into the workhouses seemingly for the purpose of rending their garments and going out again. Although the right hon. Gentleman would, no doubt, say that these cases arose, for the most part, from the establishment of refuges by private charity, he must say that a great many of these vagrants found their way into the metropolitan refuges established by the right hon. Gentleman. What was it, however, which had necessitated the establishment of refuges by private charity? Nothing but the deficiency of the Poor Law. It was that very deficiency which induced people to think that it was better that a percentage of imposition should take advantage of these refuges than that numbers of people should starve nightly or weekly in the metropolis. By a Report laid upon the table of the House on the previous evening, but not yet printed, he perceived that these refuges could accommodate about 1,000 people nightly, and that the total number received during the month of January last amounted to 27,583. Now, there were two points to which he wished specially to direct the attention of the House. The first was the practical working of the Act as regarded cases of real distress, and the other its practical working as regarded professional mendicancy. In respect to the former point he might say that the alleged emptiness of the workhouse wards might easily be accounted for, because as long as the doors were kept shut empty houses must be the result. The workhouses nearest to that House—St. Margaret's and St. John's, Westminster—according to the Return, contained sixty-two beds. He was there himself some time ago. He found some twenty or twenty-two beds. Where, then, did the remaining forty persons go? They had to go to Kensington, a distance of three miles, and at the termination of their walk they received four ounces of bread. He did not know whether the right hon. Gentleman considered four ounces of bread was sufficient relief for a poor and destitute man, but he must say he should be sorry to see the right hon. Gentleman reduced to the condition of a casual pauper. If the right hon. Gentleman were so reduced, he should like to learn the opinion of the right hon. Gentleman as to the satisfactory working of his own Act when, after surmounting the difficulties connected with one workhouse, and after arriving at another, tired and weary from the effects of a three miles' walk, he received that amount of sustenance as the reward of his labour. [The hon. MEMBER here held up a packet containing a very small quantity of bread.] The relief given was capricious and unequal, as was usually the case in the administration of the Poor Law. The average, however, was about 5½oz., according to the Report. In every case some warm and nourishing drink ought to be given. In the workhouse of St. Olave's Union the amount of relief given was 5oz. of bread in the evening, and the same in the morning, with as much water as the pauper chose to drink. They had all heard of *cafés* abroad where *pain à discrétion* was supplied; but it was reserved for an English workhouse to boast of its liberality in cold water. Beyond that he had to complain of the insults that were too frequently cast upon unhappy applicants for relief. A few days since he accompanied a poor man, a casual pauper, to the workhouse of a rich parish where he had been refused admission. At his request the man was admitted, but the workhouse porter told the poor man to "come in" in about the same tone in which a surly gamekeeper would address a half-broke retriever. The first amenity the man met with when he went into the workhouse was that, in answer to a statement he made, he was told he was a liar. It appeared that the man really told the truth, and the workhouse porter, who was above the average of such officials in courtesy, probably meant nothing by his language, which was only the ordinary workhouse mode of addressing casual poor. The recipient of out-door relief met with the same insulting treatment. He was informed by a gentleman that at Lambeth workhouse he saw a poor woman waiting with an order for some meat, and when she told her object to the porter she was told she could wait until she got it. She did wait three-quarters of an hour, and then she got it — but it was flung across the hall to her as to a dog, and she caught it in her lap. That kind of treatment had the effect of excluding the deserving poor, but did not exclude the regular vagrant, who was accustomed to that kind of language and could return it. According to the Report, in the parish of St. George's, Hanover Square, there had been 558 men who were refused relief in the month of January on account of the fitting up of the wards. He could not understand such an excuse in the middle of winter, when the Act was passed in June or July last year. However, he was not surprised at such conduct in St. George's, Hanover Square, which was a rich but eccentric parish, for he remembered a placard which hung outside the workhouse in Mount Street to the effect that notice was thereby given that the tramp ward of that workhouse was closed; consequently, although not strictly in accordance with the law, the poor had to go away unrelieved. In the City of London Union, according to the Report, there had been 3,116 males, 542 females, and 191 children relieved as casual poor. He thought he might safely say that at least 90 per cent of the males were young and able-bodied men, who were often relieved three or four times a week. The numbers showed a great inequality between the numbers of males and females, the latter of whom were principally deserving poor. The fact was that the treatment of the vagrant was too good, while for the deserving poor it was not good enough. There had been twenty-one deaths from starvation between November and February. He had heard it gravely stated that some of those persons so died by their own choice, and that they were sometimes even in possession of property, real and personal. He asked hon. Gentlemen whether they had ever found such convenient and accommodating eccentricities among their wealthy relatives. The Act was really inefficient. He had a letter from a workhouse chaplain, who, seeing some people lying on the steps of the workhouse, asked the porter whether they had been there all night; to which the man replied that probably they had. It was true that such a practice was often resorted to by professional beggars, who found it profitable to extort money from the sympathetic passers-by; but he had a clause to propose which he thought would prevent that practice in future. His proposition was simply to make the police relieving officers in their various districts. The idea was not a new one. In 1846 a similar plan was adopted, and London was divided into six districts. An asylum was to be built in each. Two of those districts consented to build such asylums, but the other four refused, and so the scheme fell to the ground. It was not necessary now to build new asylums, for the present accommodation would be found sufficient, if properly applied. In St. Paul's, Covent Garden, and the Strand Union the system he advocated was in full force. The poor person received a ticket for relief from the police, who were better judges of real distress and better acquainted with regular vagrants than workhouse porters. The right hon. Gentleman might reply that such was practically the case at present—that when a policeman took a poor person to the workhouse he received relief. But it was not the duty of the police to do so, and he wanted to make it their duty, and to make it the duty of the workhouse officials to relieve the poor so brought to them. The casual poor should be taken to the police station and then taken to the workhouse. If the casual ward should be full, the relieving officer should be called upon to find lodgings for the applicant. That system was working well in one district, and why should it not work well in another? It appeared to him to be a practical mode of dealing with the question. Vagrancy would diminish, while the casual poor would receive effectual relief. The parochial authorities could not object; the Home Office and Sir Richard Mayne could not object to it. Sir Richard Mayne had been somewhat harsh towards the poor costermongers, who were honestly endeavouring to earn a living, and also towards those unhappy men called "human sandwiches," or boardmen. Their calling was not dignified, but it was honest, and produced to them the miserable pittance which preserved them from being driven to crime, as in some cases had happened in consequence of the stoppage of their employment. There could be no better occupation for the police than to relieve distress and to remove vagrants and impostors. Why should not magistrates convict vagrants and impostors? He was told that there was a difficulty, but he could not understand why such persons could not be dealt with as easily as the poor costermongers or the unhappy women who were brought before the magistrates in consequence of the insatiable morality of a Regent Street shopkeeper. He should propose that the right hon. Gentleman should introduce into the Bill, in Committee, a clause to the effect that from the passing of the Act every metropolitan police station should be constituted an office for the issue of orders of admission for destitute persons requiring the same into the casual wards of the workhouses of the district in which the said police station was situated. If this or some similar clause be added to the Act, I believe it will go far to remove the disgrace and stigma which constantly recurring deaths from starvation have fixed upon this metropolis, and upon the civilization, humanity, and christianity of the 19th century.

Mr. KNIGHT said, he was sorry that the Bill had been brought forward in its present shape, for he believed it to be the fact that while the refuges were full the workhouse wards were quite empty. The terms on which relief was offered to the poor at the workhouses were such that they would not accept it, and it was a cruel thing to delude them with such a snare as the measure now before the House. Owing to the harsh system which was adopted starvation reigned in the heart of London, and that starvation had greatly increased within the last few years. Two or three years ago there were only two cases a week of persons dying from starvation, while this year the number was five or six; and that state of things could be attributed, he thought, to no other cause than the more strict enforcement of the workhouse test which now prevailed. The Committee which had been appointed on the subject was no doubt very satisfactory to the right hon. Gentleman the President of the Poor Law Board, for it had completely whitewashed him; but it should be borne in mind that he whose acts were to be tried as the chief criminal sat as judge in his own case, and that it was not unnatural that he should end by acquitting himself. When he was at the Poor Law Board, Bethnal Green was considered a pattern parish; but if the right hon. Gentleman held out London as a model of what he wished England to be in reference to the relief of the poor, he trusted the House in Committee would introduce into the present Bill a provision which would render it more acceptable to destitute persons in the metropolis.

Mr. AYRTON said, he very much regretted that so important a discussion should have arisen at so late an hour, because it was impossible to enter into those details which the hon. Member for North Warwickshire (Mr. Bromley) had with so much knowledge of the subject unfolded. He could not, however, allow the present opportunity to pass without saying that he did not believe the Bill of last Session had failed from any defect in its principle; it was rather because hon. Gentlemen on the other side of the House had sedulously laboured to destroy its useful action by limiting its operation to a period of a few months. For his own part, he did not think it could be expected to effect the good which it was intended to accomplish unless it were made a permanent measure. But be that as it might, he must express his astonishment that any hon. Gentleman who had the slightest acquaintance with the working of our Poor Law system could have given utterance to observations so mischievous as those which had fallen from the hon. Gentleman who had just spoken. To contend that the Poor Law ought to be framed so as to be acceptable to the poor, appeared to him to be, to say the least of it, a doctrine of a most extravagant character; and if that theory were carried out in the metropolis the greatest possible injury would be inflicted on the industrious classes of the community, who maintained themselves, and whose interests ought to be considered.

Mr. C. P. VILLIERS said, he did not at that hour of the night feel called upon to reply to puerile personalities, and he would shortly therefore proceed to state a few facts to show that the Bill was not open to the objections which had been urged against it. It was a measure founded on the unanimous Report of a Committee upstairs, and the only objection which had been taken to it last year was that it was proposed at too late a period of the Session. That circumstance, indeed, it was which had induced the House to limit its operation, while the cause of its enactment was that no adequate provision was made for the destitute wanderers in the streets of the metropolis, inasmuch as they did not belong to any particular parish. It was thought, and with some reason, that the property of the metropolis should provide for the maintenance of those people, and there was a Return stating what had been the result of the proposal. The House would learn from that Return that whereas before the passing of the Bill there was no certain provision made in the union for the wandering destitute poor, under its operation sleeping accommodation had been secured for them to the extent of 900 beds. It should be borne in mind, he might add, when the superior treatment which they received in the refuges was spoken of, that they were subjected to no test or no check on imposture; but the Return from these refuges had been sent to the Poor Law Board, and it would, he believed, be in the hands of Members tomorrow. As to the present measure, however, it might have fallen short of the expectations of some, it had not failed in its purpose, and there were under its operation thirty-nine or forty houses where there were persons up during the night to receive those who stood in need of shelter. The reason why the police were not at first authorized to take persons to the workhouses was that it was not certain that the guardians of all unions would adopt the Act. They had now done so, and had made adequate provision for the reception of these poor people; and he therefore intended to propose—and he had informed the hon. Member for North Warwickshire (Mr. Bromley) of that intention—that the police should be empowered to take to these places any person whom they saw simulating misery or soliciting alms in the streets. Under these circumstances he hoped that the House would agree to the second reading of the Bill.

Motion *agreed to.*

Bill read 2°, and *committed* for *Monday* next.

INCLOSURE BILL—[Bill 89.]

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. T. G. Baring.*)

Mr. LOCKE asked the hon. Gentleman the Under Secretary of the Home Department, to omit from the schedule "Epsom Common" and "Epsom Common fields," which were only about seventeen or eighteen miles from London, and therefore within the area to which the inquiry of the Committee now sitting extended.

Mr. T. G. BARING said, that these two cases had been specially reported upon, and the Report was in the hands of Members. Epsom Common fields were cultivated land, belonging to twenty-eight persons, over which the public had no rights, and he therefore could not consent to omit them from the Bill. The other case referred to—that of Epsom Common—was one of the inclosure of a real common, and as some part of it was within fifteen miles of London he would consent to postpone its consideration.

Mr. COX said, that unless the public had some right over these fields he could not understand why their owners should have thought it necessary to apply to the Inclosure Commissioners at all. He believed that the public had some rights over them, and therefore he thought that neither of these inclosures ought to be sanctioned until the Committee now sitting had made its Report. In order that the hon. Gentleman might have an opportunity of again addressing the House, he moved that the Bill should be read a second time that day week.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day week."—(*Mr. Cox.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. T. G. BARING said, that this was a question which affected private property, and he could not consent to omit these fields from the Bill.

Mr. KINNAIRD said, he was sorry that the hon. Gentleman would not accede to the reasonable proposal which had been made to him. There wanted some reform in this matter of inclosures. Inclosure Bills were intended to be a protection for the public; but instead of that they had been made the means by which open spaces had been withdrawn from the enjoyment of the public.

Mr. BRADY hoped that the hon. Gentleman would accept the suggestion of the hon. Member for Finsbury.

Mr. BONHAM-CARTER said, that as to the Epsom Common fields there were no public rights whatever, and this Bill could not harm the public.

Sir JOHN SHELLEY pointed out that there was a great distinction between commons and common fields.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Tomorrow*

IRELAND — ROYAL HIBERNIAN MILITARY SCHOOL.

RETURNS MOVED FOR.

Moved, That there be laid before the House—

"Returns of the Officers, Teachers, or other officials of the Royal Hibernian Military School appointed since the date of the last Parliamentary Return; specifying their names, religion, employment, annual salaries, annual value of their allowances, residences, and whether they are still on the staff of the establishment or whether they have since died, resigned, or have been promoted to other positions in the same or similar institutions:

"Of Offices now vacant; specifying the nature of such Offices, the annual salaries and allowances of said Offices vacant, and the dates when said vacancies occurred:

"Of any changes in the Books in use at the date of the last Parliamentary Return, either for the general, secular, or religious instruction of the boys; and Copy of all Correspondence relative to such changes:

"Copy of all Correspondence, since the date of the last Parliamentary Return, relative to the 'quarters' and salary of the Roman Catholic Clergyman attached to the institution:

"Returns of the average number of the Roman Catholic and Protestant Boys in the Royal Hibernian Military School during the years 1861, 1862, 1863, and 1864:

"Of the number of Roman Catholic and Protestant Boys at present in the institution:

"Of the number of applications for admission into the Hibernian School during the same years, specifying 1st. The names of the boys admitted each year, with the dates of their applications and admission; 2nd. The religious registration of the boys so admitted; 3rd. The religious faith the boys so admitted were baptized in; and 4th. The names of the boys at present on the books of the institution as applicants, and the religious faith in which these children were baptized:

"And, Copy of the application-papers and all Correspondence relative to the admission and religious registration of a boy named Joseph O'Callaghan, son of John O'Callaghan, late Colour Sergeant in Her Majesty's 9th Regiment of Foot."—(*Mr. Maguire.*)

Mr. VANCE opposed the Motion as being unnecessarily inquisitorial, invidious, and offensive, as regarded the authorities of the establishment in question.

The Marquess of HARTINGTON was of opinion that the Returns moved for ought to be granted. They were only a continuation of the Returns which had been given for many years past.

Mr. WHITESIDE denied that a Return of this kind, specifying the names, religion, employment, and salaries of the officials of the Royal Hibernian Military School, was a legitimate one. He deprecated any such information being furnished on the Motion of a Member of that House.

Mr. WHALLEY moved the adjournment of the debate. He considered that the opposition to this Return was a substantial and reasonable one.

Sir EDWARD GROGAN seconded the Amendment.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Whalley.*)

The House *divided:*—Ayes 10; Noes 29: Majority 19.

Original Question again proposed.

Sir EDWARD GROGAN also objected to the granting of the Return, which he described as being very inquisitorial.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Friday, March 31, 1865.

MINUTES.] — Public Bills — *First Reading* Union Offices (Ireland) Superannuation * (52); Married Women's Property (Ireland) * [53]; East India High Courts * (54).
Second Reading—Marine Mutiny *; Mutiny *; Consolidated Fund (£15,000,000).*

DESTRUCTION OF METROPOLITAN DWELLINGS BY RAILWAYS, &c.

STANDING ORDER NO. 191.

The Earl of SHAFTESBURY, in rising to move an Amendment of Standing Order No. 191, relative to the demolition of dwellings inhabited by the working classes, said: My Lords, during the last two years in this metropolis, in whichever direction we turn, we find great railway works in progress, which are for the most part constructed on the site of dwellings that are being removed. The question naturally arises where the population thus displaced are to go to, and whether any kind of provision is made for them? We are not only to ask this question with regard to those who are thus displaced, but we have also to consider what is to be done in respect of those who are coming year by year to reside in the metropolis; because, my Lords, the population of this metropolis is not only sustained by its natural increase, but also by a yearly immigration of from 30,000 to 40,000 persons. The question, therefore, is what is to be done with respect to these great displacements? The answer generally given to any inquiry on this point, is that the supply will be equal to the demand. But those who give this answer seem to have very little notion of what the demand and the supply are. The demand is for something immediate—for dwellings for artizans who are turned out of their houses; but the supply can only be provided in a long course of time. Again, the demand is for something near, for dwelling houses near the places of employment; but the supply is of dwellings very remote from the places of employment. It is not my desire to stop the progress of what is called improvement and civilization; but I do wish to lay before your Lordships and the country a view of the misery you are inflicting on the working classes by the demolition of dwellings and the want of any provision for those who are thus displaced; because it cannot be denied that the House of Parliament, having determined that these improvements shall be made, have decreed, I might almost say, the destruction of the intermediate generation. I do not say that ultimate good will not follow from these changes; but some measures should be taken to mitigate the immediate consequences, because the intermediate generation—that which suffers from the laws which you have passed and are about to pass this Session—must perish, if not bodily, yet at all events socially. According to the official Returns laid on the table the number of persons to be displaced in London and the suburbs is not less than 20,000, and the number of houses to be pulled down is about 3,500. Very well. But the first question that arises is, has any provision been made for the reception of these displaced persons? If your Lordships read the foot note appended to the tabular Returns, in most instances you will find two things stated—one of which is true and the other untrue. That which is true is that no provision is made for the persons displaced, and that which is untrue is that no such provision is necessary, as the people will find accommodation elsewhere. But where is this accommodation to come from? Take London and the suburbs. It is not to be found in the model lodging-houses, which are altogether full, and have many applications for the first vacancies. If these houses were all vacant they could only receive a small proportion of those displaced. I suspect that the whole of the model lodging-houses, if they were empty, could not receive much more than 10,000 persons. What is the class of persons about to be displaced? As far as I can make out the number of skilled artizans about to be displaced is 9,600 or 10,000, and the number of common day labourers is about the same. These model lodging-houses are very well adapted in most instances for the highly paid artizan earning his 40*s.* a week; but we have never yet been able, with all our experience, to construct houses suited to the poorer class of labourers, who can pay 1*s.*, 1*s.* 6*d.*, or even 2*s.* 6*d.* a week for their lodgings. Therefore these model lodging-houses, were they even sufficient in number, will furnish no assistance whatever for the labouring classes who may be displaced by the works now in contemplation. Again, if your Lordships look to the existing houses—those which are not yet pulled down—you will find that owing to former displacements they are at the present moment so overcrammed that there is not lodging room for a single additional human being. If you go to the outskirts of London you will see houses, not only very few in number compared with the numbers displaced, but houses of such a character that they are only qualified for highly paid artizans, and not for the dockyard workman, the costermonger, and the common day labourer. This state of things acts very seriously indeed upon the financial condition of the poor. It is said that all the model lodging-houses are not full; but anybody who is conversant with the habits of the working classes knows that in many of the houses there are sudden vacancies which cannot be immediately filled up. Notices are accordingly placed upon the doors of the lodging-houses stating that lodgings may be had, and persons who might happen to see a few of these notices suppose that there is plenty of space. The other day I went into a district for the purpose of seeing how far those statements were true. No doubt there were a few to be let; but those that were vacant would not accommodate one five-hundredth part of those who require accommodation. The last quarterly report of the Society's houses—the Society for improving the Condition of the Working Classes—states with regard to the amount of accommodation—

> "Streatham Street.—The 54 dwellings for families are all occupied. Portpool Lane.—The family dwellings are fully tenanted; and of the 64 rooms for single women there are 8 at present empty. Wild Court.—Every room in this court is at present occupied. Tyndall's Buildings.—Of the 87 rooms in this court 10 only are untenanted; the Men's Lodging-house, which makes up 38 beds, has had an average number of 34 nightly inmates. Clark's Buildings.—There are at present 2 rooms only untenanted. George Street Lodging-house, for 104 single men.—The average number of weekly inmates has been 101. Hatton Garden House, for 54 single men, has had an average number of 50 weekly lodgers. Charles Street, Drury Lane, Lodging-house, for 82 single men.—The average number of weekly lodgers has been 74. During the greater part of the last quarter many of the tenants left for the 'hop-picking season,' but they have again returned; and in the last week of the quarter there was only one empty. The sanitary report of all the Society's houses is good. The above report gives a fair average of the occupancy of our houses."

The superintendent of the Streatham Street house states that he has always many applications for the first vacancy, and should have no difficulty in finding tenants for another building of equal accommodation—and so for all the other societies. Now, I want to show how very seriously this state of things operates on the condition of the labouring classes. It is difficult to draw a minute distinction and to define how they are affected financially, socially, and physically as all these influences act and react on each other. Let your Lordships first look at the financial effects. There is a large proportion of workmen, such as shoemakers, tailors, printers, and dockyard labours, who cannot remove to a distance from their places of employment without finding their occupation wholly destroyed. See how this displacement acts on many poor families—on widows who have to obtain their livelihood by their mangle. When these persons are turned out of their houses and removed to a distance they lose their connection, and as these departments of labour are generally well filled in the new locality they go away to certain destitution—they go to localities already pre-occupied—and the only effect is to swell the amount of pauperism and reduce the wages of labour. A certain number of skilled artizans must live near their work. They are for two or three days, perhaps, without any work, and then they receive an order at a minute's notice which must be immediately executed. The notes that I made during a visitation over one of the most populous districts of this metropolis will show exactly the real condition of things. I went over many parts, and found many of the very bad districts already destroyed. I came to one place which I knew very well, it is now a great mass of large buildings, the site of which was formerly covered by a large number of houses exceedingly crowded. Those houses are removed, and a magnificent model lodging-house has been erected upon the site; but none of those who lived in the houses that were taken down were allowed to enter it—they could not pay the rent and the proprietor will have none but those of the highest condition. A great number of working men were thus driven across the river to seek for lodgings, and upon many the displacement came so suddenly and with so much severity that a large proportion, having nowhere to hide their heads, sought shelter in common lodging-houses, where they were called on to pay for a single night's lodging of their family, as much as before would have rented a room, and, from want of the requisite space, were forced at great loss to sell their furniture, which afterwards they could not replace for thrice the sum they obtained for it, and they thus not only lost their homes, but were prevented, in all human probability, from ever getting others. The proprietors of the meanest houses, seeing the great demand for accommodation, instantly raised their prices; so that poor people, who before lived in decency and comfort in two rooms at a comparatively low rent, were forced to pay much higher rents for single rooms. Nor did the inconvenience end, as your Lordships can easily imagine, with the increase of rent; they had further to put up with the discomforts and indecencies consequent upon sleeping seven, eight, nine, or even ten in the same apartment. The answer of the proprietors to any appeal made to them was, "Go when you like, and go as soon as you like; there are plenty of others anxious to come in your place." The result soon is, that the occupants of these rooms, finding them much more expensive than they can afford to pay for, are obliged to leave, and with their departure from the district ceases their employment; so that, from supporting themselves by honest industry, they become reduced to the condition of vagrants, wandering from place to place, till brought down eventually by this abominable unjust system of wholesale eviction to a condition of absolute pauperism. This is the story, not of hundreds, but of thousands. And see, moreover, how the change affects their social condition. Numbers among the industrious classes have invested in burial clubs and sick clubs, are members of reading-rooms, or are in the habit of attending meetings for what is called social improvement. Compared with what their condition was some twenty years ago, the working people of to-day have made enormous advances, socially and morally; but the very persons who have done so much to improve their own social position are now to be turned out and scattered in all directions. The clubs are broken up, the reading-rooms destroyed, social meetings rendered no longer possible. These poor people are forced out into other neighbourhoods, where they found none of these comforts, and are, in addition, highly unwelcome arrivals, from the fact that they come still further to burden a labour-market already overstocked — their arrival raises rents and reduces wages; raises rents by the great demand for house room, and reduces wages by the increased supply of labour. Can you wonder that, under all these circumstances, they cling with tenacity to the neighbourhoods to which they belong, and would rather thrust themselves into unhealthy rooms, regardless of the certainty of contracting diseases and relinquishing the old comforts and decencies. I have seen examples of this feeling which your Lordships would hardly believe. It is not very long ago that I went to a very remote place, one of the filthiest in London, and I went purposely at a very late hour and in very bad company, that I might see things exactly as they were. More disgusting spectacles have rarely presented themselves than I saw that night; but in one place I met a very decent woman who spoke freely of the motives which induced her husband and herself to remain and expose themselves to all those discomforts. Among other things she drew attention to four or five large holes in the walls, and, alluding to her husband, said, "We are just over the main drains, and the walls are so very ruinous that Jack and I take it in turns to sit up at night; the rats come up in such numbers that if we did not do so we are afraid they might carry off the baby." That is a state of things which is simply horrible — positively disgraceful to any country. But why did that man remain there under the circumstances? Because he knew that if he left his dwelling he could not find another in the neighbourhood, but would have to go a long way into the country, and there engage in work very different from what he had been accustomed to. It is said that these things are all governed by the law of demand and supply. But how is it after all these displacements of population that a supply of new houses does not present itself to meet the demand? In the course of a short time your Lordships will be asked to pass Bills, by which 20,000 persons will lose their dwellings. I ask, how can a supply be created to answer such a demand? Go where you will, when you do see houses of the humbler sort rising, they are intended, at least, for the better sort of workmen, earning 50*s.* or 60*s.* a week. For dockyard labourers, for crossing-sweepers, for those who live by running messages or executing ordinary jobs, there is no provision of any kind in the way of modern dwellings. And yet they cannot leave the spot where their occupation lies; their whole chance of earning a livelihood turns upon their being always at hand. Every one knows that 200, 400, or 600 men may wait for employment about the docks day after day, but it is only those who are actually there when the gates open to admit a certain number who gain the advantage of being hired. The fault by which all this suffering and misery is entailed lies, I regret to say, to some extent at the door of those who pass these displacement

Bills so very recklessly. Various remedies have been proposed from time to time, but most of them have been found altogether inadequate. The proposition put forward by myself in 1854, that accommodation should be provided for all those who were displaced under the provisions of any measure in practice was pronounced untenable Then it was proposed that compensation should be given to occupiers as well as owners. I do not throw aside compensation altogether — no doubt there is a great deal of justice in the proposition, and the case may be urged with great force — but I want something tangible and immediate. I want to know how best we can mitigate the suffering already produced. It is very easy to say, "Build a great many model lodging-houses;" but those conversant with this matter know how extremely difficult it is to carry out such a project. Looking to the cost of model lodging-houses built by our Society, I find that the highest figure was £60 and the lowest £30 per head. Taking the most moderate estimate, I find that in the present year alone no less a sum than £600,000—that is to say, lodging accommodation for 20,000 persons at £30 per head—would be required. Now, where is the money to come from? I know it may be said that we should appeal to the Government to lend us this money; but to do so we must have security to offer. And what security have we? We never can hope to raise such a sum as £600,000 either by public or private benevolence for this purpose in a single year; and to meet the full evil suitably, our efforts should really aim at the making provision for 100,000 families. Model lodging-houses, however, are by no means remunerative; ours have scarcely ever received 5 per cent upon the outlay, and certainly have never exceeded it. The erection of lodging-houses upon the scale which is required in the metropolis would necessitate an outlay of £8,000,000 or £9,000,000; and how are capitalists to obtain what they would regard as a suitable return? In the present state of things I am confident that the great mass of persons would never be able to pay such a rent as would yield any profitable return for the expenditure of so large a sum. Then we have had a proposal for suburban villages with cheap trains. Now I have made a great deal of inquiry into that subject, and I have arrived at the conclusion that we are not at the present moment in a position to construct those suburban villages with any prospect of success. The proposal to have cheap trains is no doubt a very good one, and I should like to see a provision guaranteeing them introduced into the Railway Bills before your Lordships' House. But cheap trains inevitably pre-suppose houses for the people to go into. The experiment, I may state, has been made on the London, Chatham, and Dover line, and I am indebted to the courtesy of the general manager, Mr. Forbes, for a statement of the result. He says he cannot come to any decided conclusion as yet as to the ultimate success of the experiment, inasmuch as the workmens' trains were not introduced until the 27th of last month, and he goes on to say —

> "Two of those trains run each day, in the morning and evening. There is an additional train on Saturdays at half past two o'clock, for the convenience of the workmen who make half-holyday on that day. The numbers carried increase week by week, and I have very little doubt that they will in the end be profitable to the company while I am sure that they will be appreciated by the working men."

For my own part, I entertain no doubt that eventually a new state of things will arise, and that these cheap trains will be found to be a great advantage to those for whose benefit they are intended; but what I fear is that the present generation will meantime continue to suffer to a very great extent, and I pray your Lordships to do whatever lies in your power to remedy the hardships to which they are likely to be subjected. Two years ago I brought this matter before the House, and my noble Friend the President of the Council told me that my proposition would be considered in the Committee which was then sitting on Railways; but it has never been acted upon. The Committee recommended that four weeks' notice should be given before any houses could be taken, and there appears to be very little difference between that recommendation and my present proposition, that the notice should be extended to eight weeks. If eight weeks' notice was required to be given, then those poor people would have more time to look about them and to provide themselves with new quarters. One man told me that having but a week's notice he spent the whole of that time in looking out for a house, thus loosing an entire week's wages, amounting to 14*s.*; but if a notice of eight weeks is rendered necessary, the loss will be spread over a more considerable period, and will be less felt. And now, in order that your Lordships may have some idea of the inconveniences to which the working men are subjected by the pulling down of houses without due notice, or without others being provided, perhaps your Lordships will allow me to read to you a letter which I received from a working man. He says —

"I hope you will pardon the liberty I take in addressing you this note. I am by occupation a labourer, and have been a resident in Old Pye Street, Perkin's Rents, and Fisher's Court for the last twenty years. I was compelled to leave, about four years ago, Fisher's Court, which was pulled down to erect Rochester Buildings, and repair to Orchard Street, where I rented a room for ten months, when I was compelled to leave this, in consequence of the place being required for pulling down by a Westminster Improvement Company. I was then compelled to take a small attic in Perkin's Rents, which had been used for keeping rabbits (the rabbits being actually there at the time), there being neither chimney nor fire-place in the room. I had to put up with this inconvenience, with my wife and two children, for a week, there being no rooms in the district to be had within my means of paying. From there I removed to Cooper's Arch, Dacre Street, and remained about three months, when we had notice to quite again, through the houses being required for pulling down. I forgot to mention that in Orchard Street they began pulling the roof off the house before I had sufficient time to get another room, as we only had one week's notice. I write your Lordship this statement to show the inconvenience the poor of Westminster are subject to by the pulling down of houses without making any remedy for them. The houses that are situated in Old Pye Street, called Rochester Buildings, are so high in their rents that it is impossible for a poor man to occupy them, and a man who is compelled to earn an honest living by selling his wares in the street is refused entrance."

Many of those poor people live in such entire ignorance of what is going on that they do not think of stirring until their homes are actually on the point of being pulled down about them. But then it is often said that they are, as a general rule, only weekly tenants, and that they are accustomed to receive a week's notice. There are, however, hundreds of weekly tenants who, as I have ascertained by inquiry, have regularly paid their rent fifty-two times in every year, and who have lived in the same houses for ten, fifteen, and twenty years. Indeed, the last woman to whom I spoke on the subject had been paying her weekly rent for the same place for upwards of thirty years. And are such persons, I would ask, to be treated as mere weekly tenants, and to be thrown on the world all of a sudden without any regard to their convenience or their associations which they may have formed? Surely they are entitled to reasonable notice:—and I would also require that there should be placards placed in the streets about houses to be destroyed, stating that they were to be pulled down at a certain time. And what possible objection, I would ask, can there be to this proposal? Is it not a matter, if not of general right, at all events of clear mercy? It appears, perhaps, to be a small matter, but I can assure your Lordships it is not so in the eyes of those poor people, who would be grateful for any expression of sympathy and kindness at your hands. I trust, therefore, you will not refuse to give your assent to my proposal; and if you do not deem it right to do so, then I hope you will at all events excuse me for having trespassed upon your attention with these observations. The noble Earl concluded by moving the following Amendment of the Standing Order, No. 191:—

"Ordered, by the Lords Spiritual and Temporal in Parliament assembled, that in the case of any Bill for making any work, in the construction of which compulsory power is sought to take fifteen houses or more inhabited by the labouring classes, the promoters be required to deposit in the office of the Clerk of the Parliaments on or before the 31st day of December a statement of the number, description, and situation of the said houses, the number (so far as they can be ascertained) of persons to be displaced, and whether any and what provision is made in the Bill for remedying the inconvenience likely to arise from such displacement, and that such statement be referred to the Committee on the Bill, and that the said Committee do inquire into and report thereon; and that in every such Bill a clause be inserted to enact that the company shall, not less than eight weeks before taking any such houses, make known their intention to take the same either by personal notice to heads of families inhabiting the same at the time of giving such notice, or by placards, handbills, or other general notice placed in public view, upon or within a reasonable distance from such houses, and that the company shall not take any such houses until they have obtained the certificate of a justice that it has been proved to his satisfaction that the company have made known their intention to take the same in the manner required by this provision."

Lord REDESDALE said, he had no objection to the general principle of the proposed alteration, nor to the reduction of the number of houses specified to fifteen; but then he thought it desirable that after the words "fifteen houses," the words "in any parish or place," should be added. The noble Earl had given a very interesting account of the hardships to which those poor people who were ejected from their homes were subjected; but his statement, he could not help thinking, was somewhat tinged with exaggeration. Taking, for instance, the case which had been mentioned, of a couple who had been obliged to sit up all night to prevent a child from being devoured by rats—was it not quite evident that such a house as they inhabited must be in so dilapidated a condition that it could not stand very long? In all that part of the town also to which the noble Earl particularly referred, the land on which such houses stood was worth £100,000 an acre; so that it would be utterly impossible to rebuild on land of that value houses for the working classes, and they would therefore be as completely turned out of them by the process of decay as by the operation of railway companies. The noble Earl had not suggested any method by which the wants of these people could be supplied, nor did he think that they could be met in the localities from which they were removed. There was so little space, and land was so valuable, that no new houses could be erected; and, therefore, if improvements were to take place, there must be a change of residence. It was very desirable that security should be taken for the giving of notice to the occupants of these houses before they were turned out. He had no doubt that some hard cases occurred; but he had been informed by persons who had great experience in these matters that in many instances poor tenants had received ample notice. In some cases the houses had become the property of the railway company long before the tenants were displaced, and families had been allowed to remain in them without paying rent on condition that they should leave as soon as it was necessary to pull down the houses; but, even under these circumstances, they often made no provision for the time when their removal would become absolutely necessary. The noble Earl had said that it appeared that 20,000 persons would be displaced under the Bills now before Parliament; but it must be borne in mind that the Order applied to all houses within the limits of deviation, but that in practice no more were pulled down than was absolutely necessary. He hoped that the noble Earl would not object to the trifling Amendment which he had suggested, and with that alteration he should be happy to support his Motion.

Lord ST. LEONARDS said, that if their Lordships could not devise a remedy for this grievance, they ought to be careful not to increase it without necessity, and therefore, as in close connection with the subject, he desired to call their attention to what would be the result of the proposed concentration of the Courts of Justice on the Carey Street site. The space to be occupied was 7½ acres, and the number of houses to be pulled down would be between 300 and 400, all of them being filled by inhabitants of the lower class. It was proposed to remove the six equity courts from Lincoln's Inn.

Earl GRANVILLE rose to order. The noble and learned Lord was speaking about a Bill which had not yet come up to that House.

Lord ST. LEONARDS said, that he would then suppose that such a proposition had been made somewhere. The Lord Chancellor, the Lords Justices, the principal Vice Chancellor, and the Master of the Rolls, all had good courts at present, and the last-named Judge was very anxious not to be removed from the neighbourhood of the Record Office. There only remained two Vice Chancellors to be accommodated, for whom Lincoln's Inn was quite ready to provide suitable courts. It was, therefore, he maintained, quite unnecessary to remove these courts to the proposed site, while to make room for them there it would be necessary to pull down a large number of houses. There could be no doubt that a greater number of houses would have to be pulled down than was at present anticipated; because not a few must be displaced in order to provide suitable approaches to the new building. The late Sir Charles Barry told a Committee of the House of Commons some years ago that the provision of such approaches by removing Clare Market and opening up the Turnstiles must cost a million of money.

The Earl of DONOUGHMORE said, he saw no reason why the provisions of the Lands Clauses Act should not be extended so as to give to lodgers in houses taken under compulsory powers compensation for the loss which they suffered from their removal. It was most unfair that a man who might have occupied the same rooms for twenty years should be turned out without receiving as much money as would pay the expense of his change of residence. He hoped that some measure would be sanctioned by Parliament which should secure to these poor persons the same notice as was given to leaseholders, and insure to them reasonable compensation. He did not desire that they should have anything unreasonable for the loss and damage which they might suffer from being compelled to remove. 3,082 persons were to be turned out of their homes by the operation of the Courts of Justice Site Bill, and, therefore, Government by introducing it had taken upon itself the responsibility of relieving these people from incurring hardships through their forced removal.

The Earl of LONGFORD suggested the omission of the words "inhabited by the labouring classes," in order that the Returns might included the whole number of persons of whatever class whom it was proposed to eject from their houses. Besides the labouring classes the houses in question were occupied by superior mechanics, earning 30*s.* or 40*s.* a week, who were desirous to find a better place of residence if possible than those out of which they were about to be turned. In point of fact the Irish labourer in his turf hut by the roadside was actually living under superior sanitary arrangements to those surrounding the skilled mechanic in London.

The Earl of SHAFTESBURY said, he had no objection to the Amendment suggested by the noble Earl. He was only anxious to get a full Return. He had been charged with exaggerating the evils caused by these forced removals, but when he sat down he felt that he had not said half enough on the subject.

Lord STANLEY OF ALDERLEY said, he did not think it desirable to strike out the words relating to the labouring classes.

The Earl of DONOUGHMORE said, he was convinced of the necessity for omitting those words, as otherwise the promoters, whose interest it was to reduce the apparent number of persons ejected as much as possible, would only return the numbers of the very lowest class of labourers removed; and thus the Return would be practically valueless.

Lord ST. LEONARDS said, the number of gentlemen's houses pulled down was not required, and therefore it would, perhaps, be better to insert the words "labourers and shopkeepers" in the Order.

The Earl of ELLENBOROUGH thought the largest possible term should be adopted in order to include every person ejected.

The LORD CHANCELLOR said, if the words were omitted as proposed the Order would be reduced to a nonentity, as its object was to insure notice being served on labourers who might be living or lodging in the houses about to be removed. He thought some amendment of the Order was absolutely necessary, and if the noble Earl would consent to postpone his Motion he would be most happy to offer his services in drawing up a new Order in more inclusive terms.

Motion (by Leave of the House) *withdrawn.*

THE CARTOONS AT HAMPTON COURT PALACE.—PETITION.

Lord ST. LEONARDS, in *presenting* a petition from the Inhabitants of Kingston-upon-Thames, and of other parishes in the neighbourhood, praying that the Cartoons might be allowed to remain in Hampton Court Palace, said, he wished to draw the attention of Her Majesty's Government to the state of the Palace and its grounds, and the inexpediency of removing the Cartoons from the Palace. Some very beautiful iron gates had been thought worthy to be removed from Hampton Court Palace grounds to South Kensington Museum. They were made in 1695, and he understood it would be impossible to get a duplicate made of them in 1865—yet an inscription on them stated that they were the work of a "blacksmith." He thought that it would have been very much better if they had been allowed to remain at Hampton with a similar inscription, adding only the word "country" to blacksmith. What might have been the benefit to the working classes who went to Hampton Court Palace by thousands, from looking at those beautiful gates and learning that they were the work of a common blacksmith? These gates had been at Hampton Court for upwards of a century and a half, and he regarded it as almost sacrilege to remove them to South Kensington. He found that they had, since their removal, been repaired by certain processes which would preserve them whilst under cover, but would rather hasten their destruction if exposed in the open air. Under these circumstances he could not, of course, urge their restoration to the place from whence they had been taken; and he must say that he regarded them as a great ornament in the place in which they now were. Now, as to the Cartoons. It had been said that the ground for their removal was the danger of injury by fire; but in his opinion there never was a place in which so much pains had been taken to guard against fire as in the abode—if he might so call it—

of the Cartoons. He trusted they would not be removed. They were originally brought to this country from Flanders by Charles I.; and after the execution of that monarch were preserved to the nation by Cromwell; and thus after many adventures found a final resting place in the Palace of Hampton Court. The gallery had been built by Sir Christopher Wren expressly for them, and it was admirably calculated for its purpose. The room was long and narrow, with ample room for them, and not more than enough. There was water laid on ready at a moment's notice, and most elaborate machinery had lately been erected by means of which, in the event of danger, the Cartoons could be lowered in their frames and could easily be taken out, folded up, and removed from the room. Nothing could be more perfect or better adapted to its purpose than this machinery. There would be much more danger from fire in a building like that at South Kensington. As their Lordships knew, the drawings were made upon paper, and this paper had been afterwards placed upon canvas. They also knew that they were drawn as designs for tapestry, and that they had been cut into pieces for the tapestry to be worked from them—he believed the tapestry was now at Berlin. He had looked at them closely, and could see in places very thin paper coming from the canvas, which seemed to show that they were in a very delicate state, and he thought that to move them without actual necessity would be one of the most dangerous things that he could conceive. Kensington Museum also abounded with beautiful things, and the danger was that there would be so many beautiful things brought together that the attention would be distracted, and the visitors would not fix their attention upon any one object so as to get a knowledge of art from its inspection. Nothing diverted attention so much as variety. Everybody who went to Hampton Court Palace went to see the Cartoons; and they were the first things that foreign visitors asked for. They had injured those interested in Hampton Court Palace by taking away the gates, and he asked Her Majesty's Government not to add insult to injury by taking away the Cartoons.

He would take this opportunity of drawing attention to the state of the gardens at Hampton Court Palace, and to express a hope that the Lord President (Earl Granville) would go down and look at them; and also that the right hon. Gentleman (Mr. Cowper), who had done so much for the Parks by planting beautiful flowers, would go also. They could in those gardens obtain at a moderate expense everything that would delight the eye; and yet these advantages were thrown away, and no effect at all was produced. Their Lordships knew that in the Palace Gardens there were many pedestals for statuary, but nearly all of them were unoccupied by statues, those ornaments having been removed. He should be the last man to wish to interfere with Her Majesty's pleasure, if it were in accordance with Her pleasure that the statues had been taken away; but he called upon the Government to supply their places with other statues; for he believed that there was no other place in the country equal to Hampton Court Palace grounds for the display of works of art. If it was their desire to teach the humbler classes a knowledge of art, in order to the improvement of our manufactures, and place them on a level with those of France, they must do as they did in France, give the working classes the opportunity of seeing works of art.

EARL GRANVILLE said, that as his noble and learned Friend resided in the neighbourhood of Hampton Court it was natural that he should desire to draw attention to any deficiencies in respect to that Palace. With regard to the iron gates which had been removed from Hampton Court, their Lordships were hardly in a position to form a just opinion of the merits of the case until they had before them the papers which had been moved for by the Marquess of Salisbury, who certainly had done a most important service when he ordered these gates to be brought from the place where they had been poked into a park fence, without being in any way properly displayed, and to be restored as they had been. He had taken the opinion of several persons thoroughly qualified to judge of these matters, and, among others, Mr. Hart, of Cockspur Street, who said that it would be destructive to the gates, which were most valuable as works of reference, to place them again in the open air. With regard to the naked pedestals, the matter should be mentioned to Mr. Cowper; but the noble Lord was mistaken in supposing that Her Majesty had anything to do with the removal of the statues. [Lord ST. LEONARDS said, that he had not said so.] It was some forty or fifty years ago, before her reign began, that they were removed to Windsor, and, of course, it was quite impossible to disfigure the terraces at Windsor by moving them back again to Hampton Court. He came now to the case of the Cartoons. His noble and learned Friend was of opinion that there were already too many works of art at South Kensington. The greater portion of the paintings and other objects of art had been lent by persons of various classes for the purpose of adding to the enjoyment and promoting the instruction of those who visited there. Her Majesty had sent pictures, objects of art, pieces of china, and, in fact, everything which could be of use or interest to the people, and particularly to the labouring classes. The noble and learned Lord thought it a pity to take away the Cartoons from Hampton Court, because they were visited there by persons of every description, and because the first thing that foreigners did upon arriving in London was to go down to see them. But of this he (Earl Granville) was quite certain, that more than double the number of persons, and above all of the labouring classes, visited South Kensington. And that brought him to another point—the danger to the pictures from lighting the galleries with gas. Upon that subject he would put in his noble and learned Friend's hands a report drawn up by Captain Fowke and some other scientific gentlemen, which showed the great advantages of the system of lighting adopted at South Kensington, and that no harm whatever was done to the pictures by the gas. And as for the lighting of the galleries in the day-time, he did not think it possible that a better system could be adopted. The noble and learned Lord himself could not think of comparing the lighting of the Hampton Court galleries with those of South Kensington. Application had been made to Her Majesty to allow the Cartoons to be exhibited in South Kensington, and she had been graciously pleased to give permission. When the public had had the advantage of viewing these great works in the superior light of the South Kensington galleries, and comparing them with their recollection of them in the inferior light at Hampton Court, it would then become a very proper subject of inquiry where they were permanently to be placed. The real question to be considered was, whether the course now proposed to be taken would not add very much to the interest felt by the public in works of art.

House adjourned at a quarter past
Seven o'clock, till Monday
next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 31, 1865.

MINUTES.] — Select Committee—On Tenure and Improvement of Land (Ireland) *appointed* (List of Committee); Thames River *appointed* (List of Committee.)

Public Bills—*Ordered*—Educational and Charitable Institutions; Trespass (Scotland).*

First Reading—Educational and Charitable Institutions * [97]; Trespass (Scotland) * [98].

Second Reading—Procurators (Scotland) * [87].

Committee—Inclosure [89].

Report—Inclosure [89].

Considered as amended—Small Benefices (Ireland) Act (1860) Amendment * [13].

Third Reading—East India (Governor General's Powers, &c.) * [76]; Courts of Justice Concentration (Site) * [71]; Sheep and Cattle * [57], and *passed.*

AGRICULTURAL STATISTICS.

QUESTION.

Mr. CAIRD said, he would beg to ask the President of the Board of Trade, Whether it is the intention of Government to give effect to the Resolution of the House in favour of the collection of the Agricultural Statistics of Great Britain?

Mr. MILNER GIBSON said, in reply, that the question of Agricultural Statistics had been under consideration, but it had not appeared to the Government necessary or expedient to introduce any Bill on the subject. A plan, however, had been suggested which appeared to afford a fair chance of success, by which the acreage under cultivation of different crops might be ascertained by voluntary Returns and other means; and if the preliminary arrangements should be concluded in sufficient time, the Government would be prepared to propose a Vote in the present Session to defray the necessary expenditure.

POST OFFICE OFFICIALS.

QUESTION.

Mr. SCULLY said, he rose to ask the Secretary to the Treasury, Is the "Circular Memorandum" of the 22nd of March, 1865, sanctioning certain rates of wages besides other benefits, privileges, and gratuities, "for the minor Establishments of the Post Office," confined to London only; and is it intended that the Letter Carriers, Sorters, and Stampers of the General Post Offices in Dublin and Edinburgh respectively shall also have increased wages, with other advantages, like those of similar officers in London?

MR. PEEL, in reply, said, the arrangement to which the hon. Gentleman referred was in operation since 1861 with regard to Sorters, Letter Carriers, and Stampers, who were in the service at the time; and what had been done recently was to make that arrangement permanent, and applicable to all Stampers and Letter Carriers, whether in the service then or now. This arrangement, however, applied only to London. With regard to Dublin and Edinburgh, the corresponding establishments there were revised so recently as last year. Those rates of payment were, however, not the same as the rates in London, but they were sufficient to secure the services of good men.

UNION CHARGEABILITY BILL.

QUESTION.

MR. WILBRAHAM EGERTON said, he wished to ask the President of the Poor Law Board, Whether he is prepared to introduce Clauses in the Union Chargeability Bill to give powers to guardians to reconstruct Unions; and whether he will fix a later day after Easter for going into Committee?

MR. C. P. VILLIERS said, in reply, that it was not his intention to introduce any clauses into the Bill giving power to the guardians to reconstruct Unions. It would not be fair to confer this power upon guardians alone. Whenever a question arose as to severing parishes from different unions, it excited generally great differences of opinion amongst the guardians. There was a power given by the 6 & 7 *Vict.* to the Poor Law Board to separate parishes from, and add parishes, to a union. The Board had exercised that power, and meant to exercise it in future, when the interests of the parishes required. With regard to the day fixed for the Committee on the Bill, he had not heard that the day named would be generally inconvenient, and he should hope to be able to bring it on at that time; but perhaps he would be able to give a final answer on that subject on Monday.

INFANT MORTALITY AT EMNETH IN NORFOLK.—QUESTION.

MR. BRADY said, he would beg to ask the Secretary of State for the Home Department a question respecting the reported mortality of children at Emneth, but before doing so he would read the following article from the *Lynn Advertiser* of the 25th of March, 1865:—

> "After the inquest was over the coroner directed the attention of the jury to the extraordinary mortality amongst children at Emneth. He was informed by the parish surgeon that it was something like 80 per cent of the population, which the surgeon attributed to gross and culpable neglect, the children dying from starvation. Fine, healthy children were seen daily to shrink, wither, and die without any disease, and simply because their inhuman mothers would not give them any nourishment. One woman, the coroner was informed, had had three illegitimate children, all of whom were strong and healthy, but died within six months of their birth. Unfortunately it was a matter of which he (the coroner) could not take any other notice than communicate with the Home Secretary, for unless he (the coroner) was set in motion by a magistrate, minister, or guardian of the parish, he held no inquest; but he wished it to be expressly understood that if, after this notice, a similar case came to his knowledge, he should order the body to be exhumed, and if the medical evidence was clear that the child died from starvation, he (the coroner) should know how to act. It should be known that the law was strong and powerful enough to punish the offender, whether her victim died by poison, violence, or starvation; and, depend upon it, if a conviction followed, the Judges of the land would make a severe example. The crime to which he alluded was on the increase, and must be put down by the strong arm of the law, and he should feel it to be his duty to lay the matter before Sir George Grey, who would probably send down a Commissioner to inquire into the matter. In the meantime he hoped the public press would take up the matter and that the police would be on the alert."

He would, therefore, beg to ask the right hon. Baronet, If his attention has been directed to a statement made by the coroner at an inquest held at Emneth, in the county of Norfolk, last week, and reported in the *Lynn Advertiser* of the 25th instant, directing attention to the extraordinary mortality amongst children in Emneth, amounting to 80 per cent of the population, which the parish surgeon attributed to gross and culpable neglect, the children dying from starvation?

SIR GEORGE GREY replied that he had not seen the report in question; but he had received, the day before yesterday, a letter from the coroner, stating his belief that there had been great mortality amongst children in the parish of Emneth, which mortality he attributed to the neglect of their mothers. He (Sir George Grey) had forwarded that statement to the Chief Constable of the county, requesting that he would inquire into the subject and report upon it.

EXPEDITION TO THE NORTH POLE.

QUESTION.

Mr. W. O. STANLEY said, he wished to ask the Secretary to the Admiralty, If the Board of Admiralty have any intention to sanction or support any fresh attempt to reach the North Pole by Spitzbergen or any other route, or recommend any grant of Public Money for that purpose?

Lord CLARENCE PAGET said, in reply, that the Admiralty, and, as far as he was aware, the Government, had had no proposal made to them of the nature to which his hon. Friend had alluded, and he could not, therefore, state what course the Government would pursue if so grave a proposal were made.

MR. H. J. STONOR'S APPOINTMENT.

QUESTION.

Lord ROBERT MONTAGU said, he wished to ask Mr. Attorney General, Whether the Mr. H. J. Stonor who has lately been appointed by the Lord Chancellor as Judge of a County Court is the person whose appointment as Judge in Australia was cancelled, in accordance with the Report of the Committee moved for by the present Chancellor of the Exchequer, and on the ground that Mr. Stonor had been found guilty of corruption?

The ATTORNEY GENERAL: Sir, since the noble Lord has thought that this was a case on which to found a question, I am glad for the sake of the gentleman concerned that the question has been put; and, in replying to it, I hope the House will excuse me if I make a statement somewhat longer than is usually made in answer to questions. The noble Lord's question misstates more facts than one, but it conveys a most serious imputation on the gentleman named, and of course, by implication, upon those who made the appointment. I say in the outset that the Government are responsible for the appointment, the Lord Chancellor having made it after consultation with, and with the approval of his Colleagues. With respect to the facts of the case, I may say that I believe this gentleman is one who has been as hardly used as anyone whose case was ever brought before this House. In the winter of 1853 the Chief Justice of Victoria, in Australia, was temporarily absent from his duties in consequence of illness, and it was difficult to find a gentleman qualified and willing to accept a temporary appointment without any certainty of its being made permanent. Arrangements were, however, being made with a view to render the appointment permanent, but there was no certainty that it would be so. Mr. Stonor applied at that time to the Duke of Newcastle, who was then Secretary for the Colonies, for this appointment, and sent in testimonials as to general and professional qualifications from Lord Denman, Lord Campbell, Vice Chancellor Stuart, and other persons of eminent authority. He likewise, in a manner highly honourable to himself, sent in printed papers, giving a full account of the circumstances which had caused his name to be introduced into the inquiry before an Election Committee in the summer of the same year. Through an accident, which was explained at the time, and which was the subject of inquiry before the Committee to which the noble Lord referred, those papers were not examined at the Colonial Office, because the permanent Under Secretary for the Colonies, Mr. Herman Merivale, who was personally acquainted with this gentleman for many years, gave him so strong a recommendation on professional and general grounds, that it was not thought necessary, there being no other competitor for the office, to go minutely into the papers which he sent in, and under those circumstances the Duke of Newcastle, when he made that appointment, was totally unaware that Mr. Stonor's name had been introduced before any Election Committee whatever. Mr. Stonor received the appointment, and sailed with his family for Australia, imagining that his character had been cleared and the matter conclusively settled. But in the month of March, when he was on the high seas, the subject of his appointment was brought before this House, and attention was directed to the fact that a Report involving a serious imputation of bribery against him at the election for Sligo had been made in the preceding June. That fact, coming for the first time to their knowledge, the Government felt themselves unwillingly compelled to take the course which they would have taken if they had known it at the time, and cancelled the appointment, notwithstanding the extreme hardship of sending a gentleman across the world, to be met on his reaching the Antipodes with the statement that he was not to receive the appointment, for the sake of which he had gone out. Still, so much deference was deemed to be due to the Report of an Election Committee, and to the feeling naturally entertained in this House, that the Government thought that, under the peculiar circumstances, and especially so soon after that Report, an appointment of that description ought not to be made. The noble Lord is quite in error in supposing that that appointment was cancelled in accordance with the Report of a Committee, seconded by the Chancellor of the Exchequer. The fact was not so; it was cancelled in March, almost as soon as it was mentioned in this House. The Committee was afterwards appointed to inquire into the conduct of the Government, and ascertain whether there had been any corrupt electioneering or political motive on their part in making the appointment. I need not say it turned out that there was no ground whatever for any such imputation against them. Mr. Stonor was met at the Antipodes with a communication that his appointment was withdrawn, and he returned with his family. In the meantime he had lost his practice and his position in this country, to which he came back with the stigma attached to him arising from these circumstances. Now, is it true that he had been found guilty of corruption? It is true that the Election Committee, in the discharge of their duty, made a Report in which they pointed out that an Alderman of Sligo, named O'Donovan, was bribed by Mr. Stonor by the promise of a payment of £203, being a portion of an outstanding election account, to forbear giving his vote which he had promised to Mr. Somers, and in consequence absented himself during the election. But so unsatisfactory was the evidence on which that finding was arrived at by the Committee, that it was carried in the Committee only by a majority of one, two to three opposing it, those two being Members belonging to opposite sides of this House, who rose in their places to protest emphatically against the decision as not being warranted by the evidence. Having myself read that evidence, I must say I am decidedly of opinion that the decision was not warranted. These very just observations were made by two distinguished Members of this House at the time when the Committee reported—namely, by Mr. Stuart Wortley and the hon. and learned Member for Sheffield. Mr. Stuart Wortley said—

> "He did not accept the decision of the Committee as decisive of Mr. Stonor's guilt. After looking at the evidence laid before the Committee, and considering the divisions in the Committee, he must say that it was extremely doubtful whether or not Mr. Stonor was guilty of bribery."

Mr. Roebuck also said—

> "The decision of the Committee was to be held as conclusive with regard to the objects for which they were appointed; but not with regard to personal character."

Well, Mr. Stonor did all that a man could do to vindicate himself. He had suffered in his prospects, he had gone across the world, and was met there in the cruel manner I have described. It was naturally felt when he came back that his case required to be considered, and that if this gentleman had not really been proved on sufficient grounds to be guilty of corruption he had some claim upon the Government. In the meantime the Government had changed, and I am happy to say, for the honour of this House, that, in 1857, Mr. Stonor received in this House as ample amends for what he had suffered as he could reasonably expect. Lord John Russell on the 5th of June in that year put a question to Mr. Labouchere, then Secretary of State for the Colonies, and after referring to the circumstances, that noble Lord said—

> "Without entering into particulars, I think I may fairly say that there was some misconception with regard to the imputations which were made against Mr. Stonor; at least, I was convinced when I was Secretary for the Colonies that if a vacancy should occur in any office which Mr. Stonor was competent to fill, no imputation rested upon his character, and I should be prepared to recommend him to the Crown for public employment. My right hon. Friend the Secretary of State for the Colonies is aware of the circumstances, to which I have alluded; and I wish to ask him whether, in his opinion, there is any circumstance affecting the character of Mr. Stonor which would disqualify him for appointment to a public office."—[3 *Hansard*, cxlv. 1214.]

Mr. Labouchere said that, having regard to the circumstances, he did not think it expedient at that time to offer Mr. Stonor a colonial appointment, because he had been sent out to one colony, and if he were then appointed to another, the colonists might not properly understand the circumstances, but, he added—

> "I said that I had looked into the circumstances of the case; that the impression upon my mind was that they formed no permanent disqualification to his employment in the colonial service, and that I should have no difficulty in recommending him to the Crown for any office in this country for which he might be competent."—[3 *Hansard*, cxlv. 1215.]

Mr. Horsman and Mr. Malins also addressed the House on that occasion, both stating that they thought Mr. Stonor had been hardly dealt with, and that his case was one which was well entitled to the consideration of Her Majesty's Government. In the next year, 1858, Mr. Labouchere did appoint Mr. Stonor to a judical office of great responsibility and importance —namely, that of sole Judge of the West India Incumbered Estates Court. From that day to this year Mr. Stonor, with great ability and assiduity, and without reproach or question of any kind, discharged the duties of that office, and he has now been permitted—I believe the House will think rightly permitted—to exchange it for the position of a County Court Judge. Sir, for Mr. Stonor's sake I am not sorry that this question has been asked, and I trust that this explanation will be deemed satisfactory by the House.

LORD ROBERT MONTAGU: Sir, I am desirous of appealing to you upon the fact that the Attorney General, in rising to reply to my inquiry, said that my Question contained more misstatements than one. Now, I appeal to you, Sir, whether one Member is to be allowed to make a statement of that character without another Member personally referred to being allowed the opportunity of a reply?

MR. SPEAKER intimated that the noble Lord was not in order.

LORD ROBERT MONTAGU said, that if necessary he would move the adjournment of the House.

THE ATTORNEY GENERAL: I, of course, Sir, meant that the errors made by the noble Lord were accidental errors. He said that the appointment was cancelled in consequence of the Report of a Committee. That is a mistake. The other statement made by the noble Lord was that Mr. Stonor had been found guilty of corruption. That is also, I think, a mistake, because the Election Committee had no authority to try Mr. Stonor.

LORD ROBERT MONTAGU: I would ask one more question with reference to this appointment—namely, whether, in the opinion of the hon. and learned Attorney General, it is quite impossible to have found a single honest lawyer to fill it?

RANK OF MASTER IN THE NAVY.

QUESTION.

SIR JOHN PAKINGTON said, he wished to ask the Secretary to the Admiralty, Whether the question of retaining in the Royal Navy the rank of Master was not referred by the Board of Admiralty to a Committee; and, if so, whether he will lay upon the table a Copy of the Report of that Committee and the evidence they received?

LORD CLARENCE PAGET said, in reply, that a Committee had been appointed to consider the question, and they reported the evidence which came before them. The volumes, however, were too bulky to be produced in the ordinary way. He, however, proposed to lay a few copies on the table of the Library. If the right hon. Baronet should move that the evidence be printed and laid upon the table of the House he should have no objection.

PAROCHIAL MEDICAL RELIEF.

QUESTION.

SIR JOHN SHELLEY said, he would beg to ask the President of the Poor Law Board, Whether the Poor Law Board intend in this Session to take any, and, if any, what steps to carry out the recommendation of the Select Committee on Poor Relief, that in future, cod liver oil, quinine and other expensive medicines shall be provided at the expense of the guardians, and not, as heretofore, by the parochial medical officers?

MR. FERRAND said, he also wished to ask the right hon. Gentleman when he proposed to go into Committee on the Union Chargeability Bill?

MR. C. P. VILLIERS said, in reply, that a great deal of correspondence had taken place between the Poor Law Board and the guardians of the poor throughout the country on the subject referred to by the hon. Baronet (Sir John Shelley), and he did not despair of inducing the guardians generally to adopt the recommendation of the Select Committee. Difficulties existed through the contracts entered into with the medical officers, some of those contracts being made with the medical officers for life, and there had therefore been an unwillingness to disturb them. In other instances the contracts were annual, and in those latter cases the Poor Law Board would insist on the adoption of the Committee's recommendations.

RUMOURED RESIDENCE OF THE POPE IN ENGLAND.—QUESTION.

MR. NEWDEGATE, in rising to put the question of which he had given notice, was met by loud and derisive cheers from Members below the gangway. Sir, this is not the first occasion upon which I have been met in the same manner. I beg, by way of explanation of the question I am about to ask, to refer hon. Members to the 162nd volume of *Hansard*, page 1183, April 28, 1861. I now beg to ask the First Lord of the Treasury, Whether the attention of the Government has been directed to a Speech recently made in the Senate of France by the Cardinal de Bonnechose, and to the articles in the public press, especially the *Journal des Débats*, thereon, which appear to contemplate that, under certain circumstances, the Pope may intend to reside within the United Kingdom; and whether, considering the tenor of the Diplomatic Relations Act, and the fact that the Pope cannot divest himself of the attributes, he claims for his office; and the relation, in which certain Roman Catholic ecclesiastics and others, claiming the privileges of British subjects, appear to believe that they stand towards the Pope, it is the opinion of Her Majesty's Government, that it is expedient, with a view to the internal harmony and to the external peace of this Country, that the Pope should be invited or permitted to reside within the United Kingdom?

VISCOUNT PALMERSTON: Sir, with regard to the first part of the question of the hon. Gentleman, I may say that I have every day so many things to read, and so much to write, and so many persons to see, that I am unable to follow up, as other persons may do, what passes in foreign assemblies, or what appears in foreign papers, and therefore my attention was not called to the speech to which the hon. Gentleman refers till this afternoon, when, driving down to the House, I had the opportunity of reading an extract of what was alleged to have been said by the Cardinal de Bonnechose. I may say, in passing, that I am sorry to see that that rev. prelate described England as the natural enemy of France. One may be excused for thinking that he is not a proper judge in these matters. I have not seen the article in the *Journal des Débats*. All I can say is that the question of the hon. Gentleman anticipates the future, and implies a decision on future events, which are at present involved in great doubt. The hon. Gentleman assumes that at the end of two years, fixed by the Convention of September, the Pope will be obliged to quit Rome. That may be or may not be. But with regard to the latter part of the question, entertaining as Her Majesty's Government do, and as I am sure everybody does, the greatest respect for the Pope personally, and as the head of that great community of Christians, the Catholic Church, we should be glad to show in any proper manner that respect which we feel; but with regard to the Pope's coming and taking up his residence in England, there are so many objections to it which must strike everybody's mind that one may fairly say it would be a political solecism, or rather, I should say, a political anachronism. It is well known, however, from papers that have been laid on the table, that about a year and a half ago, when the question did arise as to the possibility of the Pope having to quit Rome, Mr. Russell, representing the British Government at Rome, stated that if circumstances induced the Pope to seek to establish his residence out of Italy, and if it were convenient and agreeable to him to reside at Malta, every attention would be paid to his comfort, and a suitable residence would be provided for him. That is my answer to the question of the hon. Gentleman.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

LAW OF LANDLORD AND TENANT IN IRELAND.

MOTION FOR A SELECT COMMITTEE.

MR. MAGUIRE craved the indulgence of the House while he brought before it a question of very great and grave importance, not only to the people of Ireland, who were immediately interested in the solution of the question, but also to the people of England, who were directly as well as indirectly interested in the prosperity of Ireland. The question was not one of sentiment or feeling. To those whom he represented it was, without exaggeration, a matter of life or death. The demand he had to make was one to which Parliament ought to accede. There was no Member who represented a popular constituency in Ireland, no representative of any of the three southern provinces, who would not say that the state of things in that country was most unsatisfactory, and that it was the duty of Parliament to inquire into the cause of that condition of things. He asked no immediate and direct change in any law affecting the rights of the property and industry; he simply asked for inquiry. The question was not only important, but full of difficulty and delicacy, and he therefore asked that it should be referred to a Select Committee, consisting of the best, the wisest, and the most experienced Members; that evidence should, if necessary, be taken to ascertain distinctly what was the real state of Ireland, and how far it was influenced by the condition of the laws affecting the tenure of land; that the Committee should weigh that evidence, and make a Report to the House; and, although there should be no legislation this year, as it was almost impossible there could, they might, at least, during the present Session lay the foundation, through that Report, for future legislation. Inquiry did not pledge the House to legislation; but the natural result of inquiry, he maintained, would be legislation; for he believed that inquiry must lead to the irresistible conclusion, that the people of Ireland had no chance of prosperity without a wholesome change in the law of landlord and tenant. But if the majority of the Committee should decide that there was no necessity for legislation, he should, to a certain extent, having proposed that mode of inquiry, be bound by their decision. At the same time, he felt the fullest conviction that the more they inquired, the more were they likely to arrive at the real cause of the misery and the mischief existing in Ireland, and that it would be the duty of Parliament to apply a substantial remedy for the grievances of the people. But why legislate for Ireland, and not legislate for England? In order to understand why legislation was imperatively called for in one country and not in the other, it would be necessary to glance for a moment at the different circumstances of the two countries, and the vast difference between their relative resources. There was a great and broad distinction between England and Ireland. It was humanly impossible to find two countries linked together so different the one from the other. England was one of the most powerful, the greatest, and the most progressive countries upon the face of the earth; but he confessed that he felt great pain when he contrasted her glorious condition with the miserable condition of Ireland, which they were told was part and parcel of the same Empire. Every day new sources of enterprize, industry, and progress were being opened in England, and he had only to take a single fact to show the wonderful difference between the two countries. In 1862 they might say that the hum of the loom was no longer heard in Lancashire, and there were 500,000 persons dependent upon the charity of the affluent or the rates of that impoverished and embarrassed district. At that time, and the year before, there were indifferent harvests in England; but what practical effect had the cotton famine and indifferent harvests upon the finances of the country? Why, instead of diminishing her wealth, the trade and commerce of the country so far expanded that we had an increased revenue, and the Chancellor of the Exchequer was able to produce and carry a popular Budget. Ireland at that time had three bad harvests, but instead of participating in the prosperity of England, she was steeped in poverty, and there was a rush of her despairing people from her shores. What caused England to be so prosperous in the midst of her temporary adversity, or rather local calamity, was that she did not depend entirely, or in any great degree, upon her agriculture; whilst in Ireland it was directly opposite. In the north of Ireland there was one great branch of industry, and he would gladly see it extended to other parts of the country, because it would help to render the country independent, or nearly so, of agriculture. There had been three bad harvests in Ireland—in 1860, 1861, and 1862; and the consequence was that every class was deeply embarrassed, except those who were interested in some branch of manufactures which did not depend upon local consumption. No one was more fully alive than he was to the value of manufactures, and the absolute necessity of endeavouring to promote them in Ireland. Every class in Ireland, whether resident in town or country, was greatly affected by the state of agriculture — its success or its failure; and he contended it was the bounden duty of every Irishman, apart from all political and religious feeling, to endeavour by every means to establish in various parts branches of industry, in order to make the country less dependent on the result of the harvest. He had himself taken some steps in that direction, with the view not only to promote his own interests, but the interests of the community of which he was a member. At present an indifferent harvest in Ireland was felt by all classes, including those engaged in trade, commerce, and those branches of manufacture which supplied the necessaries or the comforts of life. But a failure of the harvest was a fearful blow; it not only depressed the entire population, but it paralyzed almost every branch of native industry. This was because the circumstances of the two countries were so entirely opposed—the one being independent of her agriculture, the other being almost wholly dependent upon it. And this was the difference which he would have Englishmen bear in mind, for it was the justification of the demand for exceptional legislation. But look at the difference between those engaged in farming operations in the two countries. An English farmer was not so dependent on the land for his means of livelihood as the Irish farmer was. If a farmer in England was compelled to adopt another mode of gaining a livelihood, or was driven from his farm by an unjust landlord (and he was glad to say there were few unjust landlords in this country), was he thereby reduced to beggary or emigration? Nothing of the kind; he went into the neighbouring town, distant perhaps two or five miles from his farm, and there found employment, if not for himself, certainly for the members of his family; and if he had a little capital in his possession he found many ways of turning it to account. But how different was the case of the Irish farmer! The evicted Irishman had no resource open to him, no alternative save emigration or beggary. If he remained in the country, not having means or energy to emigrate, he crept with his wretched family into the next town, and soon sank into a state of abject misery, and it too often happened that his wretched children swelled the ranks of its criminal population. It being then the fact that the people of Ireland were almost wholly dependent upon the land, the question was, how was that land circumstanced; what was the state of its agriculture; what was the position of those who tilled the soil, and what was the general feeling of the community with reference to those laws which regulated the relations between landlord and tenant? What was the condition of Irish agriculture? He would simply appeal to an eminent authority—one who ought to be an authority with the right hon. and learned Gentleman the Member for the University of Dublin and his friends—to Judge Longfield. That eminent authority lately described it as being "in a very backward state." He would likewise appeal to the testimony, not only of the Irish Members, but of any English Gentleman who visited Ireland, as to the state of Irish agriculture, and the striking contrast which it presented to the appearance and condition of the land in England. All must agree with Judge Longfield that agriculture in Ireland was in a very backward condition, and he could assure the House on good authority that the soil was not half cultivated, leaving out of consideration altogether the large tracts of waste lands. The farms and estates in the country were practically not half cultivated. Supposing that they could get, not to say one-half, but even one-third more out of the soil than at present, was it not worth the consideration of Parliament whether they could not devise some means by which the people would be induced to make an effort to obtain from the soil the largest possible amount of produce? The importance of increasing the produce of the land would be admitted on all hands, because it would not only add to the prosperity of the Irish people, but increase the wealth of the Empire. The dwellings of those in the agricultural districts were miserable, their food was of the meanest description, and, according to the farmers' own account, their prospects were most dismal. That there were many good and generous landlords in Ireland was what no one would venture to deny; but, on the other hand, there were hundreds, he was almost afraid to say thousands, who were not actuated solely by a spirit of justice, but who regarded the people upon the soil merely as a means of raising a good interest upon the money they had expended. It might be said that Ireland had been materially benefited by the new race of landlords, but he denied that. [Mr. WHITESIDE: Hear, hear!] If, then, there were bad landlords of the old class and bad of the new, and that those who were the real wealth of the country were at the mercy of these men, it became the right hon. and learned Gentleman the Member for the University of Dublin and that House, not only for the sake of Ireland, but for the sake of England's honour, to interfere, and compel bad men to do by law what good men did by the inspirations of conscience. Unfortunately, many of the new landlords, as well as of the old, had adopted the practice of clearing their properties for the purpose of increasing the size of their farms. The unsatisfactory condition of Ireland was attributed by some to the existence of a surplus population, by others to the smallness of the farms, and by a third class to the want of capital. He was firmly convinced that Ireland was perfectly able to support, in decency and happiness, a population fully equal to its present number. He could quote many authorities of high rank to prove that Ireland, with its mild and temperate climate and fertile soil, was well able to support five and a half millions of people. Even supposing, however, that the population was superabundant, the evil was one which was adjusting itself day by day, and he would venture to assert that five years hence the present population would be diminished by fully one-fifth. He felt convinced that if the American war were to terminate during the present year, the emigration from the shores of Ireland would be unparalleled. In that belief those who were best acquainted with the country, and with the feelings, desires, and aspirations of its people concurred. Therefore, assuming for the sake of argument, that the population was too great for the resources of the country, which he emphatically denied, and that the surplus population was the barrier to the country's improvement, that evil, imaginary as it was, would soon cease to exist. Then as to the prevalence of small farms, it would be found that the majority of the small farms were situated in the north of Ireland. Fully one-half of the small farms of Ireland were to be found in the province of Ulster, and in that province there was comparative prosperity. No doubt that fact was in some measure attributable to the linen trade in that province—a condition which placed its inhabitants comparatively above the disastrous influences of a bad harvest. But hon. Members connected with that part of the country knew perfectly well that there was a custom existing in that province, not, perhaps, recognized by law, but which was regarded as binding upon the landlords, and practically acknowledged by them, and that the state of things in the county of Antrim, as far as the protection extended to the tenant was concerned, was very different from the practice which prevailed in Tipperary. Besides, the number of small farms had enormously decreased, while the number of large farms had correspondingly increased. So that evil, if it ever was one, was being steadily diminished. Then it was said that nothing could be done for the Irish farmer so long as he lacked capital—that want of capital was the great evil of the country. He maintained that the unfortunate condition of Ireland was not in any way attributable to a deficiency of capital. This had been abundantly demonstrated. As a proof that there was no deficiency in this respect, it had been shown that Irishmen had purchased £25,000,000 of Irish property during the last dozen years. At the present moment the joint-stock banks of Ireland contained deposits to the amount of £14,000,000, and it was well known that these deposits had been made not by the mercantile classes, but mostly by those engaged in agriculture, who were thus compelled to hide in the banks what they dared not invest in the land. But was there not a more valuable capital still—was there not the labour of the people? It was the capital of the greatest value, without which all other capital would be useless. It was the capital that enriched other countries, and would enrich Ireland if it were expended on its soil. Not only did the capital in the banks lie dormant and unproductive to the farming class, but the intelligence, energy, and labour of the people were paralyzed by the operation of an injurious law. The present condition of Ireland was, in reality, owing to the absence of any security in the tenure of the land, and to the absence of security in the enjoyment of the fruits of labour. The real cause of the state of things was a want of security of tenure to give enjoyment of the fruits of industry, and to induce tenants to expend money or labour upon the soil or in the soil—a want of inducement to do more than merely drag from the soil what could be easily taken from it, or to place upon it those miserable habitations which were, in too many instances, a disgrace to a civilized country. Then it was said that there was no use in Irishmen struggling against the designs of Providence, for that the climate of Ireland was unsuited to tillage. The late Viceroy of Ireland had laid down the dogma that Ireland was intended by nature to be the mother of flocks and herds. He regarded that doctrine, however, as the most pernicious which had for a long time been promulgated by any one high in authority. It was preached to those who were only too ready to receive it, and to act upon its fatal promptings. He altogether denied the truth of that dogma. It was a daring misinterpretation of the designs of that benevolent Providence who fitted the soil for the people and the people for the soil. It was not because they had one or two, or three bad seasons in Ireland that there was no hope for the country, but to banish the people, and for a brave peasantry to substitute fat oxen. It would not be uninstructive to those who were inclined to take a despairing view of the climate of Ireland and contrast it with another country in which the peasantry were prosperous and contented, notwithstanding that its climate could bear no comparison to that of Ireland. That country was Switzerland. Take a valuable authority—Sismondi says—

> "It is Switzerland that must be seen, to judge of the happiness of peasant proprietors. Switzerland has only to be known, to convince us that agriculture, practised by those who enjoy the fruits of it, suffices to procure great comfort to a very numerous population, great independence of character, the fruit of an independent situation, and great exchange of what is consumed; the consequence of the well-being of all the inhabitants, even in a country where the climate is rude, the soil but moderately fertile, and where late frosts and uncertain seasons often destroy the hopes of the labourer."

And he goes on to describe the interior of the cottages of the peasantry, who have to gather their harvests amidst the ravines and on the mountain sides of Switzerland, as being full of comfort and abundance, such as to excite the envy, not of the poor Irish farmers, but of the sturdy English yeoman. Kay, in his *Social Condition of Europe*, speaks in the same way (pages 13 and 14)—

> "It would astonish the English people to see how intensely the peasants of France, Germany, Switzerland, and Holland labour in their fields. The whole of the farmer's family assists. It is not unwilling drudgery, but a toil in which they feel pleasure; for they know the harder they labour the greater will be their profits, and the better means of subsistence. There is always something to be done: When they can work in the fields they are opening drains, breaking up lumps of earth, spreading manure, digging, cleaning, weeding, sowing, or gathering. When they cannot work in the fields they are putting the farm-yards and farm-buildings into order, whitewashing, repairing walls, mixing or preparing manures, or doing something in preparation for their out-door occupations. They do all this, be it remembered, for themselves, and they take real pleasure in the work, and do it ten times better and more expeditiously than the poor, hired, ignorant peasants who have nothing to look forward to but to remain peasants for ever."

He (Mr. Maguire) was not going to ask Parliament to accomplish a revolution, and convert the tenantry of Ireland into a peasant proprietary, as had been done in many countries with great advantage to the happiness of its people and to its real strength. That such a change would be beneficial he thoroughly believed; but he knew that the slightest approach to such a proposition would be repugnant to the feudal notions of that eminently landlord Assembly, and that he should be cried down as a revolutionist if he asked for its consideration. Why, then, did he refer to this state of things? Simply to show what security of tenure, by whatever name it may be called, or by whatever management it may be secured can effect. Arthur Young said that the magic of property had the power of converting sand into gold. He said—

> "Give a man the secure possession of a bleak rock, and he will convert it into a garden, give him a nine year's lease, and he will convert a garden into a desert."

The farming classes of Ireland, however, did not ask to be peasant proprietors, nor would any Irishman prefer such a demand on their behalf. What they asked for was security for their industry and their capital, and the opportunity of expending both without risk. About two months since he had attended a meeting in Dublin at which several Roman Catholic bishops were present, and, though the right hon. Baronet the Secretary of State for Ireland might object to a Roman Catholic bishop, or, indeed, any bishop taking part in such mundane matters, he thought that bishops and clergymen alike were only performing their duty as citizens in identifying themselves with any movement having for its object the amelioration of laws injuriously affecting the prosperity of their country. They were intimately identified with the people, and none knew better the evil that was mainly at the root of the misery and discontent that existed. One of the Prelates then present was the Right Rev. Dr. Keane, with whom he had the honour of an intimate acquaintance. Dr. Keane was a bishop as remarkable for his saintly life and noble charities as for his deep devotion to the interests of his country and its people. On the occasion he made a most powerful appeal in favour of justice to the industrious tenant, and proclaimed it as his opinion — an opinion held by every Catholic bishop and priest in Ireland— that the land question was the great question of Ireland. A passage from his speech would afford an admirable illustration of the evil operation of the existing system, and the necessity for a change. He said—

> "In this want of security is to be found the secret of the tenant's unwillingness to improve, and of the imperfect cultivation and consequent impoverishment of the country. As an illustration I will cite one case, with which, from personal knowledge, I am thoroughly acquainted. A farmer holds about one hundred and twenty acres of land on which there are thirty acres of reclaimable waste. I said to him, 'Why, with your large family of children and servants, do you not try to make that ground more productive?' His reply was immediate and clear, 'I would this day begin the work if I were sure that the fruits of my labour and of the sweat of my children were to be my own. At present I am paying for that waste about five shillings an acre; it is worth to me about seven and sixpence; thus I have by it two and sixpence a year. If I improve that land, as I may do, so as to raise its producing value to twenty-two shillings and sixpence an acre, what can I expect to gain by it more than I do now, when the landlord will be sure to step in and raise the rent to a pound, thus leaving me only the present profit of two and sixpence. I have no notion of making property for the landlord by the sweat of my children.'"

To the present day that district is a waste. Need you be told that similar cases are to be found in every part of Ireland. The Archbishop of Cashel also delivered an address of the most earnest and forcible character, in which he said that no one in his senses would expend his capital in improvements without security if he had freedom of choice in the matter; but the Irish peasant had no freedom of choice, no option—land was to him a necessary of life—as necessary to him, said the Archbishop, as the air he breathed, as the food he eat, and he could no more do without the land than without them. There were tenants who, notwithstanding the precarious nature of their tenure — at will— could not resist the desire to improve, and who did improve; but there were others who were discouraged from improving, to the injury of the estate and of the community at large. It was clear that protection was necessary for the protection of the confiding tenant who did improve, and that it was equally necessary to induce the more cautious tenant to improve his land and his house and farm buildings. This protection could be given by leases and full compensation for all permanent and suitable improvements. One of the greatest evils of the present land system was that there were so few leases. He asked for a Committee with a view to consider what means could be adopted to encourage the granting of leases, or to secure the rights of the improving tenant. It was true that in the north of Ireland there was a greater security, and if all Ireland were in the same condition as the northern portion he would not have to call the attention of the Imperial Parliament to this subject. A Committee was required to ascertain the best mode of encouraging the granting of leases. Leases would give a certain amount of security, and would help to defend the honest man against the rapacity of a dishonest landlord. Let it not be said that there were no evictions now in Ireland and no cruelties practised against improving tenants. Let one case, and that a recent one, serve as an illustration. Within the last month an action was tried at Tullamore, having been removed by the defendant from Meath on the ground that he could not obtain a fair trial in that county. In that action it appeared that the plaintiff was one of thirteen improving tenants, holding at will under the defendant, Mr. Knox. In 1861 notice to quit was served upon them, but they were told that they need not trouble themselves, as they would not be interfered with. In 1863 notice was again served upon them, which was followed up by a demand for possession in September, but they were still told not to fear anything, and an action of ejectment was brought, which they were advised not to defend, as they were perfectly secure. In January, however, the whole of these thirteen improving tenants, with their families, numbering altogether nearly 100 souls, were turned out of their homes by the sheriff, assisted by 200 armed police and soldiers. In the action against the landlord the law was powerful, and a jury of Protestant magistrates mulcted Mr. Knox in £300, damages and costs. But that result was only brought about by the folly of the landlord, who had gone stupidly to work, and exposed himself to a conviction of fraud. If he had simply served notices and followed them up by ejectments in the usual manner, the tenants would have had no ground to appeal to the intervention of the law. And he might thus have got rid of 13,00 as easily as of thirteen. Clarke, the plaintiff, was an improving tenant, who had raised the value of the eighty acres he held fully £2 per acre. But Mr. Knox could not sell his interest to a Mr. Dias until he had got rid of the tenants — cleared off the human incumbrances. This was the terrible policy of the hour, the result of panic or of greed. In his own county he (Mr. Maguire) knew of a case in which fifty-five families were turned off the estate of one of these improving and consolidating landlords. He had heard of a case in Tipperary where the gentleman who had purchased a property would not keep one of the tenants upon it, as he said he wanted cattle, and not men. He warned the Irish landlords that nothing could be more fatal than such a policy. Whenever the war in America ceased, and that great country turned the ensanguined sword into the plough-share, and directed the energies of her people to the pursuits of peace, the consolidating landlords of Ireland who now rely on continued high prices for provisions, would find to their cost that American beef, and pork, and butter, would meet them and undersell them not only in the markets of England, but in the markets of their own country. Their conduct would bring its own punishment, but not before another million of the Irish people had been exterminated. In 1845 Lord Derby showed that the strongest difference existed between the two countries. It was the rule in England for the landlords to do everything but cultivate the soil; it was the rule in Ireland for the landlords to do nothing but receive the rents. No doubt there were exceptions; but they did not legislate for exceptions, but for the rule. In 1860 the House attempted to legislate on this subject. Every statesman who had dealt with this question during the last twenty years had laid it down that the customs of Ireland were different from those in England. The Devon Commission, twenty-one years ago, reported that it was the custom in England for the landlord to do everything for his tenant, while in Ireland the tenant had everything to do for himself; and the law did not secure him any reward for his industry. He believed that the Government acted in good faith when they attempted to legislate in 1860. They brought in several Bills, and passed three of them into law. He gave them credit for good intentions, but they were too timid to grapple with the real state of Ireland. They regarded rather what would be said by England than what was required in Ireland. Judge Longfield, in a recent remarkable address which he made in Dublin, said the Government had been too timid in dealing with the question; and the existing laws were inadequate to the exigencies of the times; and that the Legislature had done too little from fear of doing too much. But the Irish Members were obliged to accept the Tenants' Compensation Act, as it was proposed by the Government. The principle for which they contended was admitted; but the Government were warned that it would not work. And the fact was that only three instances were known in which that Act had been adopted. At the time the Act was passed he (Mr. Maguire) stated that it was too cumbrous, that its machinery was too clumsy, that the provisions made did not include a single adequate inducement to the tenant to make improvements. Besides, the veto of the landlord would prevent any improvement being made by a tenant. At the time that he suggested that useful and necessary improvements ought to be undertaken, even without the consent of the landlord, he was thought to hold some very revolutionary notions. But Judge Longfield, who was neither an agitator, a demagogue, nor an advocate of rash and crude doctrines, expressed the same opinion. He (Mr. Maguire) proposed that a case, in which the landlord objected to an improvement suggested by the tenant, should be referred to the assistant barrister, who, if he found the improvement really of a substantial nature, useful to the tenants, and beneficial to the estate, should allow it to be made, notwithstanding the opposition of the landlord. That Amendment was largely supported; but it was defeated. Yet Lord Derby held a like opinion. In 1845, he spoke in the following words in the House of Lords:—

> "In England the right was secured not only by law, but by the custom of the country, which was equivalent to law, and compensation was awarded for improvements, made not only without the consent of the landlord, but if made, without asking his leave for a single one of them.
>
> "That custom, which had the force of law in England, applied to various improvements and outlay of a very limited duration. . . . .
>
> "In a great part of the south of England, where there were large quantities of copse-wood and faggot-wood, nothing was more common than to drain with that faggot-wood. The tenant, even the tenant at will, never asked the opinion of his landlord whether he should drain a particular field—he drained it. The work might last twelve, fifteen, or twenty years, and it may not be permanent though durable. And yet without asking leave of the landlord, being a tenant at will, on being ejected by his landlord, would summon him for compensation, and the custom of the country would compel him to pay the tenant. But that was neither the law nor the custom in Ireland, and he asked their lordships to apply that by law in Ireland which by custom had the force of law in England."

Judge Longfield said it might happen that, from caprice or mistaken judgment, the landlord might refuse to enter into any contract with regard to improvements. In that case Judge Longfield was of opinion that the tenant ought to have the right to summon the landlord before the Court of Quarter Sessions, and secure the carrying out of these improvements, unless good cause was shown to the contrary ; adding that to prevent abuse it might be necessary to affix a limit to the amount which at one time might be chargeable upon the land as compensation for improvements, and that a provision might also be introduced exonerating the landlord's successor from liability on the termination of the lease, provided he granted a new lease for the term of thirty-one years without any increase of rent. What was required for Ireland was a law to make the bad or indifferent landlords do by compulsion of law what others did as a matter of wisdom and humanity. One of the best landlords in Ireland was the Earl of Devon, who gave leases wherever they were demanded, recognized the right of the tenant to sell his improvements, and gave all kinds of encouragement to his tenantry. He (Mr. Maguire) had heard tenants of Lord Devon, with tears of gratitude on their cheeks, pour down blessings on his head, and hold him up as a model of what a landlord should be. Again, the Earl of Carysfort, speaking to the Rev. Mr. Redmond, said—

> "I wish to impose not an extraordinary, but a medium rent, in order that the good years may answer for the bad ; and I wish my tenants to have leases, that they may be encouraged to improve their holdings and to enjoy their improvements, because I do not wish to deprive them of them or to benefit by them."

As the priest said, these words ought to be carved in letters of gold on a pillar raised in honour of this nobleman. It was surely not too much to ask that the bad or indifferent landlord should be made to act in the same spirit as the good landlord. He wished the Committee to inquire into the whole subject, and to see whether any improvement could be made to stem the tide of emigration which was weakening the strength of Ireland and of the Empire. If the population of Ireland were diminished by two millions of people more, the power of recruiting there would be lost ; and what then would become of the military strength of the kingdom? Some gentlemen from Ireland secretly rejoiced in their hearts, he believed, that the population of their country was becoming less ; but he knew they were wrong. A friend of his, carrying on a large trade in the city in which he resided, and supplying many towns in the south of Ireland to a distance of 100 miles from Cork, told him that the diminution of the population was more and more affecting trade. The young, strong, and vigorous, who formed the strength of all other nations, were leaving Ireland. There were, it was true, two sides to this emigration question. He freely admitted that emigration was a benefit to an individual if he could improve his condition by quitting his country ; but how many suffered moral shipwreck—were ruined on reaching America ! How many young girls, once the light and ornament of their humble homes, were now walking as painted prostitutes in the streets of the great cities in America and the colonies. They fell victims to their helpless position. Without money or friends in a strange place, bewildered and helpless, they yielded to the tempter, and were lost for ever. There was a curse on those who, directly or indirectly, had brought ruin not only on the bodies but on the souls of thousands of girls belonging to his country. He wanted to keep these young people of the country at home ; and he did believe that that could not be done until the farmers had a security that if they improved their land the rent would not be raised to an impossible standard, or that the houses they built, and the improvements they made, would not become the property of their landlords. If the present condition of things were to continue, the country towns would be brought to a state of collapse, become an assembly of ruined habitations, and the trade would be destroyed, because of the departure of vast numbers of the people from the country, and of the inability of those who remained to spend money on the ordinary comforts of life. He did not wish to deprive the landlords of a single right, or to make peasant proprietors of Irish tenants, but he wanted Parliament to inquire how security and confidence might be given to the Irish farmer. He did not desire to call before the Committee theorists and revolutionists, for it was not his intention to touch the rights of the landlords, though he wished the rights of the poor man to be protected, for they ought to be as sacred, and they were not protected at the present moment. Let not the question be bandied about from Government to Government, or from party to party. It was a thing to be grappled with, and the Ministers who could not grapple with it were unworthy to occupy the place of power. Let them rise up to the dignity and responsibility of their position. They were ready at any time to sacrifice their hold of power on some wretched, trumpery foreign question; but here was an evil at their very door, and would they not have the courage to deal with it? With regard to the law of distress, he would suggest that it should be abolished, unless in cases where a landlord gave a thirty-one years' lease. That would constitute one inducement to grant a lease, and the Committee would consider what other inducements could be offered. He had now concluded the explanation of his case. He had made use of no glittering rhetorical language, but, speaking as a plain man to an intelligent Assembly, he had endeavoured to state his views clearly and distinctly. He took issue with the noble Lord at the head of the Government, who had said that tenant's-right was landlord's wrong; for, tested by the north of Ireland, tenant-right was not landlord wrong. If, carried away by momentary warmth, in the course of his observations he had said anything which might be thought as meant to offend any class, party, or person, he assured the House that such was not his intention. The deepest interests of his country were involved in the question; and, if it were fairly settled, the people of Ireland, instead of leaving the soil of their forefathers and being scattered as exiles over the earth, would remain at home, and having acquired a stake and interest in the country, would become its protectors against invasion, and the defenders of peace and order. But if the settlement of the question should be neglected then the life blood of the country would drain away, and the Parliament and Government that declined to interfere in the matter would stand as judged and condemned before God and man.

MR. W. E. FORSTER, in seconding the Motion, said, he was well aware the House might feel that the subject was one upon which he had no right to address them. In the first place his hon. Friend, who, from his intense sympathy for his countrymen, his knowledge, position, and experience, was so well qualified to bring it before them, had almost exhausted it. But besides that the question was an Irish and a legal one, and he (Mr. W. E. Forster) was an Englishman and no lawyer. He should, therefore, have contented himself with one or two words of emphatic agreement with his hon. Friend if he had not heard—though he scarcely believed it possible—that the Government did not intend to grant this most moderate request. Under these circumstances, therefore, he trusted that they would allow him to make a few remarks, especially as the House, the vast majority of whose Members were neither Irishmen nor lawyers, had to govern Ireland and to deal with questions of law. He approached the subject, then, from an English and from an Imperial point of view, and he declared that, in his opinion, the case of his hon. Friend was irresistibly strong. In 1860, the Government of the noble Viscount, sensible of the long acknowledged evils arising from the unsatisfactory condition of land tenure in Ireland, and that they would be left no longer without a remedy, brought in a Bill; and the right hon. Gentleman (Mr. Cardwell) in his speech—which he (Mr. W. E. Forster) had lately had the pleasure of reading—gave the reasons why they took that step. The Bill passed; but it was universally admitted to have proved a dead letter. There were Members in the House who had prophesied that it would fail, and their prophesies, though disregarded at the time, had turned out to be true. That being the case, his hon. Friend now came forward and said that men of eminence and knowledge on the subject had made practical suggestions which would render the Act of 1860 operative; and he simply asked the House to grant him a Committee to test those practical suggestions with a view, in the event of their being ascertained to be well founded, to enable the Government to frame a Bill which might carry with it every assurance of success. But it was said, why did not the hon. Gentleman bring in a Bill himself? No doubt, he might have done so, but surely the course which he had taken was a more reasonable one. In a word, the case for the Motion appeared to him so plain that he could not understand why the Government should hesitate to give it their sanction. Was it because the evil was less pressing now than it was in 1860? In reality it was worse. There was greater distress and greater discontent; and the small farmers were flying from the country faster than they were four years ago. There might be differences of opinion as to how far emigration from Ireland was desirable, though he must say it seemed a heartless reply, when the country was becoming underpeopled on account of the misery and starvation of its inhabitants, to quote statistics showing that the result might be better for those that remained at home. At any rate they ought not to be driven to wholesale expatriation from any faults of legislation. Besides, the class that was going way was precisely that which a wise Government would wish to keep at home; for were they not the hardworking, saving men, who took out not only their strong arms, but their capital? The fact was that farming at present did not and could not pay in Ireland. It could not compete in the world's market with those to whom we had opened that market by reason of the restrictions under which it lay. It might be said that this was the result of free trade. His hon. Friend, however, had not said so, for he knew too well that whatever embarrassment free trade might have caused the farmer, it had saved the labourer, who would have starved without it. But there was after all, in farming, no free trade in Ireland. Free trade in farming meant freedom in the whole operations of farming. It did not mean merely the right of the consumer to buy where he pleased, but it meant also the right of the producer to plant, and sow, and reap, without restraint. But there were legal conditions attached to the occupation of land in Ireland which prevented the application of the tenant's capital to the soil without a reasonable fear that it would be taken from him. Therefore he (Mr. W. E. Forster) contended that there was not free trade in Ireland. Let it not be said that the restrictions to which he alluded had no existence but in imagination. They had been admitted by the right hon. Gentleman (Mr. Cardwell) who had brought in the Act of 1860. In introducing the Act of 1860, the present Secretary of State for the Colonies said—

> "This is the foundation of all legislation on this subject—that the law and practice as they exist in England and Scotland have differed from the law and practice as they have existed in Ireland."

In Ireland the landlord did not effect improvements himself but left them to the tenant. Judge Longfield stated that that Act would have succeeded if Parliament had been a little bolder. The right hon. Baronet (Sir Robert Peel) would perhaps say that if the House agreed to this Motion, it would only excite false expectations in Ireland. But those expectations already existed. Did any one imagine that a man in the position and speaking with the authority of Judge Longfield, could come forward and say, "This Act does not work, but I will show you how, by introducing a few improvements, it might be made to work." Did any one imagine that Judge Longfield could say that without creating expectations? The House was often delighted with good jokes from the right hon. Baronet—for he sat on a Bench from which good jokes oftener proceeded than good measures—but if the right hon. Gentleman would come forward and assert that Judge Longfield's speech had created no expectation, the mere assertion would be about the most desperate attempt at a joke the House had ever heard. His hon. Friend (Mr. Maguire) had alluded to a remark which had been made from the Treasury Bench, by way, he supposed, of reply by anticipation to any Motion of the kind now before the House—the remark of the noble Lord (Viscount Palmerston), that "tenant's right was landlord's wrong." His hon. Friend had rightly said that antitheses were dangerous, especially just before an election, when they could be made of more use as "cries" against you than in your favour. But forgetting for the moment the noble Viscount's magnificent disregard for electioneering considerations, let them just think what was the meaning of this remark. What was tenant right? So far as he (Mr. Forster) understood the statements of Judge Longfield—who had long presided over a Court which brought him into the most intimate contact with the relations subsisting between landlord and tenant—he did not ask for fixity of tenure, or compulsory settlement of rent, which were the two things it was often supposed to signify. He understood Judge Longfield to mean simply and solely the right of the farmer to carry on his business in the only way in which he had a chance of doing it with success—the right of the farmer to be allowed to invest his capital in the soil in building and draining, without fear of his landlord fining him for so doing, by raising his rent, or punishing him by ejecting him—the right of the tenant, in short, to be delivered from his fear of being robbed of his capital by his landlord. The very Act which the right hon. Gentleman (Mr. Cardwell) had passed was really an acknowledgment that such robbery might take place. But he supposed that the right hon. Gentleman would say that that

Act went as far as the rights of property would allow. The present state of the law gave the landlord, who would make no improvements himself, the power of acting like the dog in the manger and forbidding the tenant to make them. Well, it was not now asked that the landlord should be deprived of the power of preventing the tenant from effecting improvements. How far, then, would Judge Longfield go? What they asked was that, to quote a very good phrase of the noble Lord the Member for Stamford (Lord Robert Cecil), the presumption should always be in favour of compensation; that the tenant should have a right to make improvements without being obliged to serve his landlord with three months' notice; and that his landlord should not be able to fine him by raising his rent, or to punish him by ejectment, without compensation, until at least reference had been made to some impartial tribunal. Such was their request. It only needed the refusal of such reasonable demands for a few years to raise far more awkward questions—questions which, because they had not been answered, had led to important social changes in France and Germany; questions which, because they had been practically answered in England, had enabled the relations of landlord and tenant to remain in this country as they were. Those, however, who wished for the continuance of those relations in England had good grounds most earnestly to hope that such questions on the matter should not be even mooted in Ireland. Besides, had not property its duties as well as its rights? And could there be a clearer duty resting on the owner of the soil than that if he did not or could not himself improve it, so as to make it more productive of human food, he should not prevent its improvement by others? Well, that was all that was asked; and he (Mr. Forster) could not for a moment suppose that the House, composed though it was of a majority of landowners, would say that it was determined to assent to any state of the law that would enable landlords not only to neglect but to transgress their duties. But it might be asked, was there any need for a special law of landlord and tenant at all? ["Hear!"] He perfectly agreed with those who cheered that question. He thought it would be well if there had been fewer laws respecting landlord and tenant, and if their relations had been left to the principle of supply and demand, as in England. But the position of the parties was not the same in the two countries, as the right hon. Gentleman (Mr. Cardwell) had admitted, when he brought in his Bill of 1860. He had occasion to visit Ireland during the crisis of the famine, and the poverty, and suffering, the hunger, and the scenes of woe wide-spread over the country, which he then witnessed, would haunt him till his dying day. He felt then, and he felt now, that every one who had any power, however humble, in that House or the country, was bound to use it in order, if possible, to find out how far that misery was caused by the state of the law, and how far its continuance depended on it. He was very far from saying anything against the conduct of the landlords, in which he was glad to say there was much to admire. He had seen what they did on that occasion, and the sacrifices they made for their tenantry. But he could not forget that they were the inheritors of an unjust settlement; and however much he might wish to sweep the past into utter oblivion, he could not help asking himself whether causes were still at work that had in any degree contributed to the catastrophe of 1848? Even admitting that the state of Ireland was the same as that of England, the question of landlord and tenant in the former country could not be left to the natural law of supply and demand. Before that could be done they must not only free the demand, but they must unfetter the supply. When they were enabled to say that there were no restrictions upon the sale or use of land, and when they had swept away all remains of the feudal system, then, but not till then, they might with safety leave the soil to the rule of supply and demand. Make the land as free as consols or any other article, and then they might leave it to the operation of economic laws. But they had special legislation already. Twenty years ago Chief Justice Pennefather declared from the bench that the whole law was framed in the interest of the landlord, and that that of the tenant had never entered into its consideration. This, be it remembered, was the language of no demagogue, but the solemn statement of the Chief Justice of Ireland. No doubt attempts had since been made at legislation somewhat more in the interest of the tenant; but no one would deny that the balance was still greatly in favour of the landlord. His hon. Friend had referred to the law of distress; and it was absurd to talk of leaving the relations of landlord and tenant to the principle of supply and demand, when the landlord was allowed by that law a remedy greater than that of any other creditor. Mr. Jonathan Pim, in recording the transactions of the Society of Friends during the famine, said that thousands of active and energetic farmers had been driven from the country by the action of the law of distress, and Mr. Pim was a politician of very moderate views. Judge Longfield, like his brother, the hon. Gentleman opposite, was a Conservative. Such men were entitled to be heard on this question, and he hoped their opinions would have as much weight in the deliberation of the House as they had in the country. The question, as had been well observed, was not one of sentiment or mere feeling. It was not like that other Irish question (the Irish Church) which the House had before it, one that they could possibly stave off, or one that they might debate whether or not it was an intolerable insult and sign of conquest. It was not a question that the Home Secretary (Sir George Grey) could dispose of by saying that if they attempted to settle it, they would make a revolution, or that the Chancellor of the Exchequer could put aside by agreeing to an abstract proposition, "that the law of landlord and tenant in Ireland was unsatisfactory," and by pointing to a future when an attempt might be made to render it satisfactory—that future being the "better time coming," the not distant future, as he hoped, of which the right hon. Gentleman would himself be the guiding star. This was a practical question, affecting the daily toil and the actual means of obtaining a livelihood of hundreds and thousands of their fellow-citizens—a question which, if they did not meet it in that House, would very soon have to be met on the hustings. He was at a loss to conceive the reason why the Government meant to refuse the Motion, and thus to throw aside those considerations which were generally supposed to influence men on the eve of an election; he was at a loss to conceive how they could be so blind to the signs of the times, or so deaf to what the hon. Member for Lewes (Mr. Brand) must have told them. He should have thought they would rather have welcomed with thankfulness the means which the Motion had offered them of getting out of their difficulty. He was at a loss to conceive how they could take a different course unless they were acting under some influence or from some motives that were not apparent and not professed. There could be no doubt as to the feelings of the Liberal party in Ireland. He did not believe there was an Irish Liberal Member that would come forward and oppose the Motion of his hon. Friend, or a Liberal Irish constituency that would sanction such a step. The noble Viscount still professed to lead the Liberal party in this kingdom; but if he disregarded the unanimous wish of the Liberal party in Ireland, in this most reasonable matter, he (Mr. Forster) could only say as a humble Member of the Liberal party of England, that he disavowed the leadership of the noble Lord, and he protested against the war thus raised between the Liberal party in Ireland and that in England. The question was one on which Ireland appealed to England's sense of duty and justice. It was a question far beyond considerations of party; and if the wishes of the Liberal party were disregarded, perhaps the sooner they crossed the House the better; for then they might have a leader who agreed with them and with whom they agreed. Ireland's suffering was England's shame; and Ireland's discontent was England's danger. We prided ourselves on being the freest, the most prosperous, and the most powerful nation in the world; but it was somewhat lowering to our pride to recollect that it was the fault of our legislation that kept hundreds and thousands of our fellow-countrymen in the most wretched and depressed condition of any Christian and civilized community in the world. His hon. Friend had spoken of emigration. They could not stop it. He (Mr. Forster) did not wish to stop it. He knew that the destiny of the people of these islands was to go forth to till, to cultivate, and to occupy new soils. We could not stop emigration, but this at least we might struggle to do—this at least we might hope and strive to bring about—that when the Irish emigrant left our shore, he might leave it with no feeling of disloyalty towards the Queen, but with a feeling of loyalty towards the throne and attachment to the Government. They might talk of Canadian fortifications, but better than any fortresses, better than this recent paltry Vote for the defence of Quebec, would it be to build their defences upon the hearty affections of Ireland's emigrants. Much had been heard of late of the hatred of Irishmen in America towards this country. He believed those reports were much exaggerated—but still he believed that feeling existed to some extent. It might be unreasonable, but it was not altogether without reason, for after all it arose from principles which ought to have produced feelings quite the reverse. It arose from a perverted patriotism — because the Irishman thought they had ill-treated Ireland, and when he hated England, let it be our endeavour to bring back that patriotic feeling, and to convince him that he can best display it by loving our common country. Surely, then, the Government would not now, when they had an opportunity given them of expressing their sympathy for the sufferings of Ireland, and their desire to do what they could towards finding a remedy by a cold cynical refusal of this Motion, shut the door of hope to the poor and uneducated peasantry of that unhappy country.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the Laws regulating the relations between Landlord and Tenant in Ireland, with a view to their more equitable adjustment,"—(*Mr. Maguire,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Lord COURTENAY said, it was not his intention to detain the House for more than a few minutes. He felt that it might appear like presumption in one who had had the honour of a seat in the House for so short a time to rise to address the House on a subject of such importance and such difficulty. It had, moreover, on many occasions been discussed in that House and out of doors by gentlemen to whose expressed opinions it would be difficult for any one, and impossible for him, to add anything new in the way of argument. Nevertheless, he would ask permission very briefly to express the reasons which induced him to support the Motion of the hon. Gentleman, if it were pressed to a division. The hon. Gentleman had brought this subject forward with much ability, and, on the whole, with moderation of tone. He did not agree with the hon. Gentleman on very many of his political views, nor probably should he be able to concur with him in all his opinions on this subject; but at the same time it appeared impossible to affirm that the relations of landlord and tenant in Ireland were altogether satisfactory. The difficulty of the subject had repeatedly been admitted, and as long ago as 1845, in the Report of the Devon Commission, something in the same sense as the views indicated by the hon. Gentleman's Motion was recommended. It appeared clear that from some cause the Irish tenant practically did not stand in as good a position as regarded his landlord as the tenant in England; that much was expected of and had to be done by the tenant in Ireland which in England was expected of and done by the landlord; and that practically the tenant in Ireland was more at the mercy of his landlord, be he good or bad, than in this country. Until a very recent period — and to a certain extent even now—such improvements as draining, building, enclosing and reclaiming waste lands, &c., which in England were made by the landlord, in Ireland must be made by the tenant. It was true that the House would be told that at the present day, in the great majority of instances—probably in nine cases out of ten — there were good landlords, and considerable, or, at all events, some assistance was rendered by them—such as supplying slate or timber, while the tenant contributed to the rest of the outlay. This was true, and as far as it went was satisfactory, and it would be very satisfactory if we had arrived at a state of perfection, and there were nothing but good landlords. But he feared that neither in Ireland nor anywhere else was the perfectibility of the species to be seen or hoped for at present, and it was a grievance amounting almost to a crying evil, that the tenant should be entirely at the mercy of a bad landlord, and that an enterprising farmer, who had laid out money on his farm, should be liable to be ejected from it by a grasping or an avaricious man, and have no redress except through the tedious, uncertain, and expensive process of an action at law. Without presuming to say what direction legislation ought to take, he should like to see some legislation adopted to meet this evil, and he thought it quite possible that a Select Committee might strike out some suggestions for this purpose. It appeared to him that in discussing this subject there were two principles to be borne in mind. The first of these was that the tenant should have no right to demand compensation for any improvements, or so-called improvements, which had not previously received the sanction of the landlord. It would be manifestly unjust that the landlord should be called upon to pay for changes which he might not think improvements, and which had been made without his sanction, or even against his will. In the second place, in any future legislation the principle ought to be recognized that for what was called unexhausted improvements made by the tenant compensation was equitably due to that tenant, and should be given either in money or by an adequate term of occupation being extended to the tenant, so that he might be enabled to enjoy the land he had improved, or the house he had erected, for such time as might be supposed sufficient to compensate him for his outlay. The difficulty, of course, would be to determine what was an adequate number of years. But this and other difficulties might properly be considered by a Select Committee. This principle had already been fully and frequently discussed, and various Bills on the subject had at different times been introduced. A Bill was introduced two or three years ago by the right hon Gentleman opposite (Mr. Cardwell), in which the principle of compensation was introduced. He was informed, however, that that Bill was practically inoperative in consequence of its not making sufficient distinctions between early improvements cheaply and quickly effected and those which required more outlay of money, labour, and time. It would also appear that the time fixed in the Bill of the right hon. Gentleman was too short, in cases of reclamations in mountain lands, to make the proposed compensation an equitable one for capital laid out. This appeared to him to be a most important subject, and, for the reason which he had ventured to offer to the House, he trusted that the Motion of the hon. Member for Dungarvan would be agreed to. Not long ago it was decided by a majority in that House that there was no reason to view with regret the diminution of the population of Ireland. How far that was satisfactory or consolatory to the people of Ireland it was not for him to say; but if the present Motion were not agreed to it was to be feared they might complain of the manner in which their grievances were treated in that House. They had come here for no boon, with none of that mendicant whine of which they had heard; they had come for some recognition of that distress under which they were labouring from circumstances over which they had no control; they asked for sympathy, and Parliament had given them a discussion on the temporalities of the Irish Church. He had heard it said that the Motion of the hon. Gentleman was brought forward only with a view to the general election, which was imminent; but he did not believe this. At all events, such a motive could not influence his vote. The constituency (Exeter) which he had the honour of representing had no connection with Ireland, and as far as he knew had no special interest in her politics. He hoped he might be allowed to offer his thanks to the hon. Member for Dungarvan (Mr. Maguire) for the allusion in his speech to the efforts which his (Lord Courtenay's) father had successfully made for the welfare of the people of Ireland. As the son of an Irish landlord, whose family had been long connected with Ireland, he had ventured as his first utterance in that House to express his earnest conviction that the relations of landlord and tenant were not altogether satisfactory in that country, and that an inquiry into the subject could not fail to be of advantage to both parties. With this view he should support the Motion. He took this course, not as an advocate of what was commonly called tenant-right, but because he thought that the appointment of a Select Committee, even if it led to nothing, would yet do good as an earnest to the people of Ireland that the House of Commons was not disposed to turn a deaf ear to their appeals.

Mr. E. F. LEVESON GOWER said, he was induced to offer one or two observations because of the strong opinion which he had always entertained upon this question. The hon. Member for Dungarvan (Mr. Maguire) and those hon. Members who had advocated this inquiry had laid great stress upon its harmless character, and no argument could possibly be more plausible. It was said that the truth was all they desired to elicit, and that by granting the inquiry no pledge of any kind was given; but he maintained that such an inquiry would raise expectations which could not but have an injurious effect. There could be no doubt that this inquiry pointed to tenant-right; and, inasmuch as he strongly believed that the agitation of the question would not only not be beneficial but would be positively injurious to the best interests of Ireland, he did hope that the Government would oppose this Motion. He was ready to admit that in an electioneering point of view it might be better for the Government to grant the inquiry, but he would suggest to his hon. Friend the Member for Bradford (Mr. W. E. Forster) that the motive which dictated their refusal might be the desire not to arouse ruinous expectations in favour of such an impracticable measure as tenant-right. The hon. Member for Dungarvan (Mr. Maguire) had drawn a very eloquent picture of the difference in the prosperity of England and Ireland, and no Englishman could regret more than he himself did the existence of that difference. He should be extremely glad to see Ireland in as flourishing a condition as England. He did not think, however, that this Motion was one which, if carried, would contribute to its prosperity. It appeared to him that that country was in reality suffering from want of capital. It was a most remarkable fact that at the present time the capital of England was to be found invested in railways, mines, and every conceivable kind of enterprize in every corner of the globe; but what was still more remarkable was that little, if any found its way to Ireland. The absence of capital in Ireland was, he believed, in a great measure attributable to the insecurity of property in that country, and partly also to the agrarian outrages which had occurred there. The alarm which these outrages had occasioned was, he thought, greatly exaggerated. They were, he believed, confined to particular limited portions of the country, but it should be remembered that capital was timid, and that these outrages naturally prevented capital from flowing into the country. No one could feel more than he did that it was the duty of the Irish landlord to deal liberally with his tenants. The whole question was one, as it appeared to him, more involving a discussion of principles than of facts. Believing, as he did, that the granting of the Motion would not in any way conduce to the prosperity of Ireland, and would increase rather than diminish that apprehension of the insecurity of property which kept capital out of the country, he hoped the Government would refuse to accede to the Motion of the hon. Member for Dungarvan.

Mr. C. MOORE said, that he desired to see greater security given to the tenant for his outlay. The hon. Member who had just sat down said that the insecurity of property in Ireland prevented the flow of capital to that country. He thought, however, that no measure would tend to the security of property unless it also tended to satisfy the people. The measure they had been discussing would not, he believed, prove in any way injurious to the landlord, and the rents would be better paid, in consequence of the increased industry and ability which the tenant would be encouraged to bring to bear on cultivation. At the same time it would conduce to quietness and a kindly feeling between the landlord and tenant. It was said that a measure of this kind meant confiscation of the landlord's property. The tenant received the land without buildings, and if the tenant erected buildings at his own cost and by his own labour, to give compensation for those buildings could not be confiscation. On the contrary, to take those buildings from the tenant without compensation was the most cruel confiscation. As a landlord, nothing would gratify him more than some provision for the protection of the tenant. He believed such a measure would do more than any measure he ever heard of for the benefit of the country. It would introduce peace, and he hoped prosperity, into the country, and be of great advantage to the Empire at large.

Colonel GREVILLE said, that he looked upon this as a landlord's quite as much as a tenant's question. He believed that security for property would be very much increased if tenant-right were settled upon an equitable basis. The noble Lord at the head of the Government told the House a few nights ago that "tenant's-right meant landlord's wrong." It was very easy to make an off-hand assertion of that kind, but a great question could not be disposed of in that manner. Land in Ireland would become infinitely more productive if this question were settled on an equitable and satisfactory basis. What was tenant-right? Judge Longfield, in a pamphlet which he had published, said that some thought tenant's right meant fixity of tenure, others thought it meant compulsory valuation of land, while others held that tenant-right simply meant compensation for improvements made with the tacit assent of the landowner, and constituting a permanent addition to the value of the land. It was quite clear that if by fixity of tenure it was understood that the tenant was to hold his land against the will of the landlord such a measure could never be proposed. It would drive the landlords from the country. Nor would any one propose a compulsory valuation. But the advocates of tenant-right said, with reason, that a difference existed between the practice in the two countries. In England the landlord did everything. He provided a dwellinghouse and farmbuildings, and the tenant obtained with these the beneficial occupation of the land; but in Ireland the landlord often let his farm without any of the conveniences that constituted a beneficial occupation, so that the law which was applicable to one country was not equally so to the other. That compensation for improvements made by the tenant with the assent of the landlord was a just principle was admitted by the Government of Lord Derby when Mr. Napier introduced his Tenant Compensation Bill. It was admitted by the Government of Lord Aberdeen, and afterwards by the Government of the noble Viscount, when the right hon. Gentleman (Mr. Cardwell) introduced a Bill on the subject. That measure, though brought in with the best intentions, had been, unfortunately, inoperative, and had not realized the expectations entertained by the right hon. Gentleman. Nothing was, therefore, more natural than the request now made by the Irish Members, that this Bill should be referred to a Select Committee in order that they might inquire why the Bill had not worked. There could be no more competent authority on this subject than the learned Judge at the head of the Landed Estates Court in Ireland, who had been a Judge of that Court since the year 1848. That learned Judge was of opinion that something might be done. He (Colonel Greville) had taken great interest in the subject, and he agreed with Judge Longfield. No claim could, in his opinion, be more equitable than the tenant's claims to compensation for permanent improvements which in England would be made by the landlord. Let the House remember that it was only when a tenant was evicted that the question of compensation could arise. If the landlord should proceed to put out the tenant, do not let him appropriate to himself those substantial and unexhausted improvements which give an increased value to his property. All the Bills that had been brought in and sanctioned by different Governments contained clauses giving compensation for unexhausted improvements, and some of those measures had passed through that House. In 1855 the 14th clause of the Tenants' Improvements Compensation (Ireland) Bill was supported by the hon. and learned Gentleman (Sir Hugh Cairns). It gave tenants compensation for improvements made before the passing of the Act, and the hon. and learned Gentleman said it was his intention to support the clause. He (Sir Hugh Cairns) reminded the House that the other House had passed a Bill in 1853 containing a retrospective fixture clause, providing that any house built or other improvement made twenty-one years before the passing of the Bill might at the expiration of the lease be wholly removed by the tenant, unless the landlord paid him for it according to the valuation. Judge Longfield was of opinion that something should be done, and said he had little hope of seeing improved agriculture and a contented tenantry in Ireland so long as an artificial system of legislation existed which enabled the landlords to take possession of improvements without giving compensation for them. It was urged that such a retrospective clause would be unjust to those who had bought property in the Landed Estates Court; but those who had purchased land in Ireland of late years had done so with the knowledge that this question was still pending. The present Lord Chancellor, then Solicitor General, maintained in the debate on the measure of 1855 that the principles of that measure, both in the prospective and retrospective clauses, were consistent with equity and justice, not as a sword of offence, but as a shield of defence, to the tenant. His conclusions, the Solicitor General said, were supported by the opinion of—

> "Sir W. Grant, no mean judge of equity and justice; by Lord Eldon, no weak Conservative; by Lord Redesdale, and by the universal consent of all writers and expositors of equity and natural justice."

Another opinion very appropriate to the present discussion, and deservedly carrying great weight, had been expressed in the course of a debate in the year 1855 by the noble Lord now at the head of the Government with regard to the propriety of a retrospective clause. The noble Lord (Viscount Palmerston) asserted that although as a principle it was wrong to alter existing bargains by retrospective enactments, yet there were circumstances peculiar to the holding of land in Ireland which justified such retrospective action. That was a clear and well-argued statement, and he (Colonel Greville) appealed from the off-hand assertion of the noble Lord in 1865, that "tenant's-right was landlord's-wrong" to his sound and well matured argument of ten years ago. Bearing in mind the course taken by the Governments of Lord Derby and Lord Aberdeen, and the recommendations of the Select Committee of a few years back, it was impossible, he believed, for the noble Lord to resist the application now made to him. The property of the tenant ought to be as sacred as the property of the landlord, and in securing the property of the tenant and making him prosperous and contented the interests of the landlord were in reality preserved. Everybody knew that there was plenty of capital in Ireland stored up in the banks; but this would never be laid out upon land, so as to become reproductive, until proper safeguards were devised for the investment. In that event parties would make their own contracts, and landlords and tenants being in perfect accord, a totally different state of things would arise. In England there was a jealous watchfulness over the interests of the tenant, and according to local customs, having the force of law, the tenant enjoyed protection practically in many respects. The Irish tenant had not the advantage of these. It was the practice in England for the landlord to erect the necessary farm buildings, but that was not the rule in Ireland. In England and Wales there was a customary tenant-right by which growing crops, hay, &c., were secured to the outgoing tenant. These were secured by customary right in several counties in England and Wales, although they were not to be compared in value to the permanent unsecured improvements made by the tenants in Ireland. It was said in many quarters that exceptional laws for Ireland were bad in principle, and ought to be discouraged; but Judge Hargreave clearly showed that in Ireland there had been little else but exceptional legislation. The exceptional circumstances of the country, therefore, and an honest desire to render these better, ought to prevail over fancied advantages of uniformity, and should bear down mere unsupported allegations that measures of improvement were impracticable. He hoped that the justice which was meted out to England would not be denied to Ireland. It was said that what was asked for it would not be practicable to grant. The Government had not said so from their own mouth, but it had been said for them. He hoped the House would admit that a case had been made out for assenting to the Motion of the hon. Member for Dungarvan, and that it would not be resisted.

MR. BRADY said, he believed that the people of England were sensitively alive to everything affecting the welfare of Ireland. Indeed statesmen of all parties had been obliged to admit its suffering condition. There had been no material change in the regulations between landlord and tenant from the time of Burke to the time of the noble Lord. Yet the rental of the land had risen from £6,000,000 in 1780, to £13,000,000 a year at present. In the year 1780 the acreage of Ireland was estimated at £12,000,000 by Mr. Arthur Young, and its value at 6*s*. 4*d*. an acre, while in the year 1850 the value set upon it by a Government authority was 16*s*. 4*d*.; and by whom, he should like to know, had the value of the land, in that period of time, been so enhanced? By the poor tenants who laboured on it without receiving any encouragement from the landlords; yet still, as in years past, the relations between the two classes continued in a condition so unsatisfactory as to call loudly for redress, not only in the interests of Ireland, but of the Empire at large. It had been stated, in the course of the discussion, that there was a considerable amount of money in the hands of the tenant farmers in Ireland, and it might from that circumstance be supposed that prosperity reigned in the country, but the manner in which those poor people had lived, and the privations they had endured in order to store up a small reserve beyond their rent, were such as the people of England could scarcely comprehend. He knew an estate in which there were 300 or 400 tenants, and his belief was that they did not consume as much animal food in one day as was ordinarily consumed by ten or twelve persons in this country. The pig which they fed and the corn which they grew were sold to meet their rent, which they paid with a punctuality equal to that displayed by any tenantry in the world. They pinched themselves of nourishing food and of clothes, and yet they paid their rent. The wonder was how they could pay any rent seeing that the land was so bare. And it was bare because the tenants having no confidence in their landlords dare not lay out money on the land. When he was last in Ireland he met a man on the road, and got into conversation with him. He asked him whose land it was by the side of the road. "That is mine," said the man, "Then why do you not drain it, and put it in a better condition ?" "Well, said the man, "I have very little interest in it. I have had this land for thirty years. That piece which you see was a lake. I reclaimed it, and have got two crops off it, and now my landlord says I must pay the same rent as for the high land, and I do not think it right to pay for that which I made myself ; so I am off for America." That was the result in many cases of landlord injustice. Every Government that had been in power from 1845, when the Devon Commission was issued, to the present time, had acknowledged the necessity of doing something. The Devon Commission drew a vivid picture of the misery and wretchedness of the people, and recommended the case of the tenants to the anxious consideration of the Government. But from that time to this nothing had been done. The people had deteriorated, and the land which supported 8,000,000 when he was a boy, would now scarcely support 5,500,000. The people were naturally irritated at the treatment they had received. It was a fact that the Irish emigrants to America carried with them feelings of enmity towards England. That fact, however natural, was much to be regretted, and he urged upon all Englishmen the duty of taking steps to promote the welfare of Ireland and to secure the friendship of her people. There was an ulcer preying upon the vitals of Ireland, and the cause of it was the unsatisfactory state of the relations between landlord and tenant. He urged upon the noble Lord and his Government to take this subject into their hands, and to provide the only possible remedy for the existing evils by giving such a fixity of tenure as would induce the people of Ireland to remain in the country and enable them to attain to a degree of prosperity which would be equally beneficial to this country.

Mr. M'MAHON said, he thought the hon. Member for Dungarvan had rendered an essential service to the tenantry of Ireland ; because, whether his Motion for a Committee was adopted or not, he had shown what was the effect of asking for the smallest possible modicum of redress from a moribund Parliament, which had twice refused to express its regret for the decline in the population of Ireland, which had passed the Act of 1860, and from a Committee of which, however composed, but little good for Ireland could be expected. The Motion would also show how little good had been done by lowering the demand for justice to the tenantry of Ireland. The tenant-right agitation began in 1852, and its originators contended that either there should be no legislation at all between landlord and tenant or that the tenants of Ireland should have what had been granted in all other countries, fixity of tenure upon payment of rent. Those demands were thought to be excessive, and they were departed from. It was agreed to accept the simple tenant-right of Ulster as shown in Sharman Crawford's Bill. When the advocates of tenant-right demanded a strong measure it was believed that they were in earnest, and the Government thought it necessary to consider the question. Lord Derby's Government introduced a measure which, had it been passed, would have done much good to Ireland. It did not psss, and now such a measure would be stigmatized as revolutionary. Lord Aberdeen's Government, which followed, also produced a measure which would now be condemned in the same manner. The demands of the advocates of the Irish tenantry were again lowered, and Mr. Serjeant Shee proposed Crawford's Bill without the clauses which were considered to be objectionable. That proposition was not adopted, and the result was that of which the thin attendance that evening was an illustration. After the election of 1859 Crawford's Bill in its entirety was again proposed, and, as a sort of counterpoise, the Act of 1860 was proposed and carried by the Government. That Act, instead of improving the condition of the tenantry of Ireland, had made it worse. All the clauses in the Act were in favour of the landlord and none for the tenant. They were such as no man living would propose for England. Before 1860 the power of eviction by the sessions was restricted to rentals not exceeding £50, but by the Act the limit was raised to £100. Another unusual provision in the Act was, that if a tenant attempted to do anything which the landlord or his agent might choose to regard as waste, he could be summoned before a Justice of the Peace, and if he did not conform to the views of the Justice, he was subjected to fine or imprisonment. After that, the hon. Member for Tralee attempted to carry Crawford's Bill without the retrospective clause, but he failed, and nothing had been done since. All kinds of theories were started to account for the misfortunes, but he was sure that if the Committee asked for by his hon. Friend were granted, it would not in any way tend to improve the position of the tenant. The House would not dot an "i" or cross a "t" to improve the evils of landlord and tenant. The lesson which the people of Ireland should learn from the past was, that they should adhere to the principles of political economy, and should demand some measure to abolish altogether legislation between landlord and tenant, and to place dealers in land upon the same footing as dealers in other commodities. [The Bill of 1860, by sweeping away all the feudal relations of landlord and tenant, had prepared the way for this.] The proper course for the Irish people to adopt would be to insist that all special laws for the regulation of the relations between landlords and tenants should be repealed, and that both parties should be left to their remedies under the common law. If that was done, there would be an end to evictions and distresses for non-payment of rent, landlords and tenants would stand in equitable relations to each other, and there would never be another debate upon this subject in the interests of the tenantry.

MR. ALDERMAN ROSE said, having the honour of holding the position of Governor of the Irish Society, he ventured to offer a few remarks upon the subject before the House. In a recent debate they had heard an appalling description of the present state of Ireland from the hon. Member for the King's County. While differing from that hon. Gentleman as to the causes of those evils, he nevertheless thought it furnished a matter for the grave consideration of this country and the Government. It appeared to him that no Government could see the gradual diminution of the people, and the falling off in the agricultural produce of Ireland, without the most serious apprehensions of the ultimate results. The good Government of Ireland was, in his opinion, one of the most serious problems that could be solved; and he, for one, was therefore prepared to support the Motion for inquiry upon this subject. The society with which he was connected was in the habit of granting long leases and premiums for substantial improvements. Now, what was called tenant-right appeared to him to be something so indefinite, so shadowy, unreal, and unsubstantial that he found it almost impossible to deal with it. He could not conceive a more inconvenient state of things than that a man holding, perhaps, as a tenant-at-will should erect a building which his landlord did not want, to which, indeed, he might positively object, and then at the end of the quarter or of the year should demand to be repaid the money which he had expended upon it. Now, that was a state of circumstances which ought to be defined and provided for. The small farm system in Ireland was a failure. It was idle to expect any success in farming unless the holdings were considerable and the tenant in possession of capital. Farming, like commercial or manufacturing operations, must be carried on upon a certain scale in order to be profitable. No man could conduct a manufacture in his drawing-room or his bedroom with success, and the same principle applied to farming. If the system which prevailed in the north of Ireland of granting long leases and giving large premiums for improvements was extended throughout Ireland, it would be a complete answer to the demand for tenant-right. Ireland was being steadily depopulated, and its produce was failing, and it was the duty of that House to take into earnest and immediate consideration the means of remedying a state of things which must produce serious disadvantage and embarrassment to this country.

THE O'CONOR DON said, the difficulty which he felt in addressing the House was, that up to the present time the debate was almost entirely one-sided. There was hardly a speaker that did not seem to coincide in the views expressed by his hon. Friend the Member for Dungarvan, and to consider the demand now made by his Motion as just, reasonable, and moderate. He (the O'Conor Don) confessed he felt himself almost unable to afford any further information to the House. Before, however, the Government expressed their views upon the subject, he felt himself bound, as an Irish landlord, to declare that he concurred in the views expressed by his hon. Friend, and thought it was most desirable that Parliament should come to some arrangement of this important question. Now, he had listened attentively to the speech of the hon. and learned Member for Wexford (Mr. M'Mahon), without being able to understand what course that hon. and learned Gentleman desired should be adopted. The hon. and learned Gentleman seemed to find fault with all those who had taken an active part in the discussions upon this subject, because in his opinion they had not gone far enough. Now, so far as he had considered the question, he (the O'Conor Don) believed that it would have been settled long ago if those advocates of tenant-right had not gone so far. Had, for example, the Bill of Mr. Serjeant Shee been adopted by the popular party in Ireland, he was of opinion that they would not have had any occasion for the discussion that evening. So far from the advocates of this question not going far enough, he considered that the demands went entirely too far which they had pressed upon the attention of Parliament. He could not understand what the hon. and learned Gentleman meant by his proposal to remit the landlords and tenants of Ireland to their common-law rights—nor had the hon. and learned Gentleman pointed out in what manner the existing evil could be met otherwise than by such legislation as might arise out of the full and searching inquiry that was now moved for. The importance of this question could not be denied. It had been recognized by statesmen of every party, and various measures had from time to time been proposed by different Ministers. The fact that the leading statesmen on both sides of the House had attempted legislation on the subject was a sufficient proof that the state of things existing in Ireland then was not satisfactory, and if not satisfactory then, he asked in what respect was it satisfactory now? In 1860 the present Secretary for the Colonies introduced a measure to remedy the great grievance of Ireland, but it was wholly inoperative. He (the O'Conor Don) maintained that the question was now in as unsatisfactory a state as it was at the time when his right hon. Friend the Secretary for the Colonies felt it his duty, on the part of the Government, to attempt legislation in regard to it. The question introduced by his hon. Friend the Member for Dungarvan might be considered in two lights—first, was the condition of things regarding the relations of landlord and tenant in Ireland satisfactory? If it were admitted that that condition was unsatisfactory, then he asked whether Parliament could by legislation improve the condition of that country? With regard to the first point, the past history of the country showed that nothing could be more unsatisfactory than the state of Ireland. Then, arose the next question—whether Parliament could do anything by legislation to improve its condition. Upon the answer to that question, he admitted, rested the main force of all the arguments used against the Motion of his hon. Friend the Member for Dungarvan. He knew it might be said that, however unsatisfactory were the relations of landlord and tenant in Ireland, they ought to be left to adjust themselves, as the interference of the Legislature could not accomplish any good result. The proposal before them was, that having legislated upon the subject in 1860, and legislated inoperatively, and it being stated by practical men that the measure of 1860 could be made to some extent operative and accomplish some results, they should inquire if those statements were true before they permanently decided that Parliament could do nothing further upon the subject. He could hardly believe that Her Majesty's Government would refuse to accede to so fair and moderate a proposal. He admitted there was the greatest possible difficulty in dealing with the question, as shown by its past history; but he did not consider that on that account they were finally to decide that it was a question entirely beyond the control of Parliament, and that it was impossible to better the present state of things. He thought a great improvement might be effected in the existing law. Judge Longfield and other eminent men had expressed their belief that an improvement could be made. There was a greater evil arising from the present relation of landlord and tenant than the non-improvement of the soil, and that was the feeling of dissatisfaction that pervaded men's minds, that they were not justly and fairly treated; and whilst that feeling of discontent existed they would have no peace nor tranquillity in Ireland, nor the application of that honest industry which was necessary for the improvement and benefit of the country. It was a matter of pain rather than gratification for Irish Members to have constantly to bring their grievances before the House; and therefore it was that he was desirous of seeing the law settled, both for the sake of Parliament and the people of Ireland. He expressed his entire concurrence in the Motion, and his sincere trust that Her Majesty's Government would accede to so moderate a request as the granting of a Committee of Inquiry.

COLONEL VANDELEUR said, he thought that the Government ought to grant the Inquiry asked for by the hon. Member for Dungarvan, though he did not concur in all that had been said by previous speakers as to the causes of the present condition of Ireland. A great deal had been said about tenant-right, but he had known times in Ireland after the famine of 1847 when tenant-right was worth nothing, when thousands of acres had been left waste, and much land had been thrown on the hands of the landlords. The climate of Ireland had something to do with the condition of that country. Since the times to which he had just referred there had been a change in the value put upon land, which had caused much talk about tenant-right. Landlords were sometimes right in keeping the farms in their own hands, for in many cases too high a value was now set upon it by tenants who paid for the possession of a farm, money raised on loans which afterwards they were unable to meet, and had to sell out at a loss to enable them to return the borrowed capital. Great uncertainty had been created in the minds of tenants by the action of the Incumbered Estates Court, for land changed hands so frequently now that tenants, not knowing who their landlord might be, were unwilling to spend money on improvements. Twenty-five millions worth of property had been sold under it to a vast number of persons, many of whom were reselling the land, and those persons had been mainly instrumental in raising the agitation of tenant-right. The continual selling of land unsettled men's minds. He had heard of a case in which a tenant said to an agent, "Is it true that we (the tenants) are going to be sold ?" "I am afraid it is," replied the agent. "Then I hope it won't be one of ourselves that will buy us," observed the tenant. The tenants on the estate to which he alluded were made happy when an agent told them that each man would be assisted to buy his own holding. Emigration was not caused alogether by the circumstances to which so many attributed it. The persons who now emigrated were members of families who had emigrated and sent home money to carry other relatives across the Atlantic. Much had been said about the improvidence of the higher classes in Ireland, and about family charges on land which they were so fond of creating; but the farming classes were not less improvident in making charges on their stock. It frequently occurred that a man left a charge of £200 or £300 for his son to pay, the latter having no money, but only the stock on his land. They gave bills, and then when they fell due they had to be sold up to pay them. He knew of a case in which a tenant of his own married a young woman with a tolerable fortune—£200; the father gave bills for the amount and broke, and so the unfortunate young man was left with the wife and no fortune, and not only broke himself but broke others. These bill transactions had very often more to do with the difficulties of the Irish peasant class than the landlords' rents. The landlords' rents were often two, three, and four years in arrear. Everything had been going to the bad in Ireland for the last three or four years, until the last season. The oats had perished in the ground, and the sheep had died; but this last year there had been a reaction. The farmers were improving, but no doubt the small towns were suffering very much from decreased trade. The population of his own county (Clare) had fallen off 100,000 since 1841 owing to emigration, and, of course, the small towns had suffered from the loss of so many customers. He cordially supported the Motion of the hon. Gentleman because he thought inquiry would do good.

Mr. DUNNE said, he should support the Motion, and that he could not agree with those who declared that "tenant's-right was landlord's wrong," as the interests of both ought to be identical. He appeared in the double capacity of landlord and tenant and could declare that the state of both classes was unsatisfactory. What injured the one must injure the other. He believed that much mischief was caused in Ireland by land jobbers, and mentioned an instance in which one of that class had agreed to give an additional sum upon the purchase of an estate, on condition of the owner evicting the tenants. The owner took his measures in a very insidious manner, and obtained the services of the sheriff with a posse of police, who turned out the tenants and pulled down their houses. Fortunately the tenants obtained legal assistance, and one of them asserted his rights in a court of law, where the jury found that the landlord had acted fraudulently and unjustly. He had to pay heavy damages, and to compromise all the other actions by the payment of large sums. There was an inherent love of justice in Irishmen, and if they had confidence in the law, they would be content to appeal to it. All they wanted was fair play. He would conclude by paraphrasing a sentence from the writings of a late Roman Catholic prelate, by expressing a hope that the love of justice in Irish breasts would be as lasting as their hatred of tithes and the temporalities of the Church of England as established in Ireland.

Colonel DICKSON said, he was surprised that no one on the Treasury Bench had had the courage to answer the speech of the hon. Member for Dungarvan. He would not advocate any outrageous system of tenant-right, but the question was one which deserved careful consideration, being the most important at present affecting the interests of Ireland. He was delighted to hear the mild and temperate tone of the hon. Member who introduced this question, but the hon. Members for Bradford (Mr. W. E. Forster) and Bodmin (Mr. Leveson Gower) had introduced a political aspect to the question, and had taunted the Government or thrown out insinuations against the Opposition side of the House. Now, he protested against both these modes of discussing the question. He only understood the remark of the noble Lord that tenant-right was landlord's wrong to refer to those wild and visionary schemes which had been occasionally put forward by those who from corrupt motives had encouraged a mischievous and indefensible agitation. He hoped that the Government would not be actuated in any course they might pursue this evening by the thought of a future election. The question was one to be considered fairly and impartially. This House would not for a moment entertain any proposal to abrogate the just rights of the landlord; and, on the other hand, the tenant farmers required no more than simple justice. As he understood tenant-right, it was the free and full enjoyment by the tenant of the fruits of the industry and the capital which he had invested in the land. It was said that tenant-right was unnecessary, because it did not exist in England. But exceptional cases required exceptional remedies, and Ireland was an exceptional case. The tenant custom of England and Scotland and the north of Ireland was really tenant-right, and what objection could there be to making an inquiry whether some means could not be taken to assimilate the custom and the right in the three kingdoms? In England the improvement of the land was effected at the expense of the landlord, while in Ireland it was effected at the expense of the tenant. Some persons contended that the Irish landlords ought to follow the example of the English landlords in that respect, but they had not at their disposal the vast means which such a work would require, and which would, in many cases, be equal to the value of the fee-simple of their estates; and, moreover, they could not devote the whole of their resources to an improvement of their property, which would all descend to their eldest son, while they failed to make any provision for their younger children. His idea of tenant-right was, that it should be a fair transaction between landlords and tenants, and he felt convinced that a measure which would give effect to that principle would promote their mutual interests. Then, again, the system of settlements stood in the way of the landlords expending their money. There was plenty of capital in Ireland, but it was all locked up in the banks, and those who had it would not invest it in land. It was difficult to legislate for Ireland, because only a few understood the subject. He would not support exaggerated notions of tenant-right, but every proposal for a just reform was liable to disparagement from the exaggerated views put forward by ill-conditioned or designing men. What was wanted was a moderate measure, which would satisfy moderate men. At present, Irish landlords, for want of means, were often unable to carry out the necessary improvements on their estates; but, if so, why not allow the tenants to do them? It was a mistake to suppose that there was a want of capital in Ireland. All that was wanted was that the tenant should be able to lay out his money on such conditions as competent authority might consider sufficient to secure to the tenant the full enjoyment of the fruits of his industry and of his capital. They ought not to deal with this question in a political point of view, but for the benefit of the country. He hoped an inquiry would be granted, so that at least they might take the most competent advice on this subject. The Irish people were sick of these constant agitations, and desired to get rid of them to enable a generous people to enjoy the advantages which a munificent Providence had provided for them.

Mr. COX said, it might be considered out of place for a metropolitan Member to offer any suggestions upon this subject, but his apology must be that he was a member of the Irish Society. What was tenant-right, and whence sprang that right? It appeared to him to have originated in the insecurity of a tenant holding land, the possession of which he was obliged to find the means of defending. It originated nearly 250 years ago, in the charter of James I., which he granted to the citizens of London, when he founded the new plantation in Ulster. The citizens of London guaranteed to their tenants, the old soldiers and others who settled on the land, the right to hold the land so long as they had sufficient force to defend the possession of it, and they stated that they should not be put out of possession. That was about 250 years ago, and ever since the property of the citizens had descended from father to son, and had been dealt with in a peculiar manner by those who claimed the right to defend the possessions in Ulster. There was no reason why, in his opinion, this Committee should not be granted, for it was absolutely necessary that some decision should be come to upon the subject, having regard to both sides of the question. In proof of this he would shortly state what was tenant-right in Ulster. Within a few miles of Derry the Irish Society, some sixty-four years ago, agreed to demise to a person 500 acres of land, upon condition that he should build a house and improve the land. To that end a lease was granted, and the tenant entered into possession, and paid a rent of £250 a year. The tenant built the house and improved the land, and he then let it to another person at an improved rent of between £800 and £900 a year, and the original lessee received that increased rent for about sixty-one years. He (Mr. Cox) was at Derry just at the time when the lease expired, and notwithstanding what had happened, the lessee's representative on the expiration of the lease claimed some five or six years' tenant-right. It much astonished him, and he wondered what the Duke of Bedford would say if his tenants in Russell Square, when their leases had fallen in, claimed tenant-right. Such claims might be carried to such an extent as to almost confiscate the land. The hon. and gallant Member (Colonel Dickson) spoke of the Irish Society as absentee landlords. He (Mr. Cox) could tell him that the Irish Society, although absentee landlords, expended out of their rental of £14,000 a year the sum of £13,400 in supporting an agent's establishment, churches, chapels, schools, and other charities. That was what the Irish Society did, and if other absentee landlords did the same they would not hear of these complaints. He should vote for the Motion of the hon. Member for Dungarvan.

MR. ROEBUCK: I think that the silence of the Government is somewhat pusillanimous. They are placed in the position they occupy to govern the country, and a very important part of the country is Ireland. One of the most serious considerations with respect to the Government of Ireland is connected with the present relations between landlord and tenant. We have had a discussion in this House about another grievance of Ireland—the Irish Church; but now we have to come to the bottom of all the discontent in Ireland—namely, tenant-right, and on this occasion the debate has gone on for about five hours, and yet not one single Gentleman on the Treasury Bench has vouchsafed to give to the House the slightest hint of what the Government intend to do. Am I not right, then, in saying that this silence is pusillanimous? I am quite sure that the Gentlemen on the Treasury Bench, with the noble Lord at their head, have an opinion on the subject; and, if so, why do they not express it? They ought to lead and not to follow the House; but they wait to hear declarations from all sides of the House in order that they may get safely out of an embarrassment. That is not my habit at all, and I will state what I think is the right course for the Government to pursue. If they follow my suggestion, I shall feel flattered at having given them a clue to escape from their difficulty. Ireland constitutes one of the greatest difficulties in the Government of the kingdom, and one of the failings of Ireland is the national error that the great cause of the misery of that country is the present state of the relations between landlord and tenant. The question then arises, how shall we deal with what I believe to be an error, though others may have a contrary belief. Is not a fair, honest, and impartial discussion the best thing for the purpose; and could there be a better tribunal than a rightly constituted Committee of this House? I do not mean a Committee like that appointed two Sessions ago in reference to Ireland, in which enthusiastic Gentlemen got all sorts of witnesses to give evidence in the sense of their own views; but I mean a Committee composed of men really entitled to the consideration and confidence of this House—men of judgment and character, and, more than all, of cross-examining power. I would ask the noble Lord, if he should consent to any Committee on this subject, to appoint a Committee of that sort, because with such a Committee composed of men of cross-examining power, or, as I once heard a learned Friend of mine call it, eviscerating power, a man with his notions about tenant-right and belief that he possesses some talismanic means of settling all these questions, no sooner appears before it than his courage begins to ooze out of him, and you have him not only telling the whole truth, but utterly confounding himself when he is in error. I believe that this would be a great advantage to the people of Ireland and to the Government of England. I want to know what mischief could arise from the appointment of such a Committee. An hon. Member has said that a Committee on this subject would create needless excitement in Ireland, and that enthusiastic gentlemen in that country might fancy that their views were about to be carried out. But are there not such things as newspapers and reporters? And the very first day of the exhibition of Irish witnesses would disabuse the people of Ireland. I believe that their particular views on tenant-right would come out correct before the Committee; and I believe also that my view would come out correct. I must say that I should have a peculiar satisfaction in examining an Irish witness on the subject. I cannot believe that any harm would arise from such an inquiry, but I can see a long vista of good. I believe that at the present moment the hon. Member for Dungarvan utterly misconceives the opinions of his own countrymen about tenant-right, and that the feeling really at the bottom of most men's minds when they talk about it pretty much warranted the use of the noble Lord's expression that "tenant's-right means landlord's-wrong." ["No, no!"] Aye, aye, you may say "No;" but that is the very feeling which I want to get out by means of a Committee. I believe that those Irishmen who talk about tenant-right wish really to divest the landlord of his land. They wish that the tenant should be placed in the position of his landlord; and thus what they call the right of the tenant would be nothing but the landlord's wrong. In this belief I may be mistaken; but, if so, I want a Select Committee to disabuse me. The noble Lord himself (Viscount Palmerston) is a great Irish landlord; he is one who, I believe, exhibits the qualities of an absentee landlord in the best possible light. I should like the landlords who live on their estates to show such an example as he does. What astonishes me is that all the misery inflicted on the people of Ireland should be put upon the back of England. It is caused by Irishmen. Who are the landlords that do the mischief? They are Irish landlords. Well, then, do not turn round and say, as I have heard hon. Gentlemen do, that it is all owing to bad Government. There is not bad Government in Ireland. I am here, Sir, to maintain that the Government of Ireland is as good as the Government of England. ["No, no!"] You say "No, no," but I should like you to prove the contrary. As far as my knowledge of the law of landlord and tenant in Ireland goes, that law is not very different from the law of England. I want a lawyer to point out to me the peculiar difference between the two. I do not believe that difference is very great. In England the law of landlord and tenant works well. Why? Because the tenant in England is a provident man, who does not undertake to do what he cannot do. He does not bid against his neighbour for land and so put himself in great difficulty. He makes an agreement or contract with his landlord which he believes he can fulfil, and which he does fulfil. But the Irishman—I say it boldly, without meaning offence—is improvident in these matters; and the real cause of the misery of the Irish tenant is his own improvidence. There may be—doubtless there are—bad Irish landlords; there are bad English landlords; but I do not believe that the Irish landlords, as a race, are worse than the English as a race. England flourishes in spite of that relation subsisting between her tenants and her landlords, and I want to know why that relationship is not compatible with the same prosperity in Ireland. The cause of the mischief is, as I have said, the improvidence of the tenant in Ireland, who enters into a contract which he cannot fulfil. But, Sir, I return to the point from which I set out. I ask where is the harm of inquiring into this subject, and endeavouring to enlighten the whole nation on a matter which vitally concerns her interest? And I call on Her Majesty's Government to shake off the tremor which besets them on this occasion, and to have the courage and the honesty openly to avow what they intend to do. Let them not seek to be led by the House, but take the part, which their position gives them, of leading the House on a matter of such importance as the present.

Mr. MONSELL, who was received with loud cries of "Palmerston," said, that if the noble Viscount had shown the least symptom of rising, he (Mr. Monsell) would not have interposed a single moment. With regard to the speech of the hon. Gentleman (Mr. Roebuck), as well as that of the hon. Member for Bodmin, he thought they both exhibited the great difficulty there was in controversy when the terms are not clearly defined. Both seemed to have a notion that the object of the Mover of this Committee was to try to introduce some extravagant notion about tenant-right.

MR. ROEBUCK: I beg pardon; that was not my meaning at all.

MR. MONSELL: At any rate it was the meaning of the hon. Member for Bodmin; but the real fact was, that he was tilting against a shadow. The hon. Member for Dungarvan (Mr. Maguire) was perfectly distinct and precise in the demand he made. What he said was this—that a Bill was passed by this House five years ago, on the Motion of the right hon. Gentleman the Secretary for the Colonies (Mr. Cardwell), and he wished for a Committee to inquire whether that Bill had worked well or not; and, if not, that we should endeavour to amend it, so that it might produce the results which the right hon. Gentleman said, when he proposed the measure, he expected from it. Extravagant views of tenant-right, such as prevailed some years ago, had passed away like the Communistic views of Louis Blanc and the men of his school. What his hon. Friend said was, that he desired to have leases in Ireland, and wanted to arrive at some system which would make it the interest of the landlord to give leases. Take the case of Scotland. Lord Campbell said it was naturally a barren moor, but long leases had made it one of the happiest and richest countries in the world. The object he and his hon. Friend had was to devise some means by which the same system could be introduced into Ireland with a like result. Well, then, who was there in that House, who could, with consistency, oppose this moderate demand for inquiry? The hon. and gallant Member for Longford (Colonel Greville) had already quoted a remarkable speech made by the noble Lord (Viscount Palmerston), who, unless he went back from the opinions he then expressed, could not oppose the Motion. His right hon. Friend the former Member for the University of Dublin (Mr. Napier) had said that he would

> "Leave to the tenant possession of the farm, when improvements had been made, till such a reasonable period had expired as might be considered a compensating period for those improvements."

That was precisely the proposition of his hon. Friend the Member for Dungarvan (Mr. Maguire), and if a Bill were introduced carrying out that suggestion, they would be perfectly satisfied. No less an authority than Judge Coleridge had laid down the important principle contained in the following, with reference to a suit tried at Derby in 1851—

> "It seems to me a not unreasonable custom that a tenant who is bound to keep his farm in a good and tenantable manner, according to the rules of good husbandry, should be at liberty to charge the landlord with a part of the expense of draining although that draining may have been done without the landlord's knowledge or consent."

So that there did, even now, prevail, in some parts of England, the principle his hon. Friend advocated; and where could be the harm of an inquiry as to whether the same system could not be adopted, and the avowedly unsatisfactory state of Ireland be dealt with? It was all very well for England to talk of "Rest and be thankful," or of the *quieta non movere* principle; but Ireland was in a condition at this moment so distressed as to render its contemplation in the highest degree painful. They had a population running away—a vast amount of capital (there his Friend the hon. Member for Bodmin was wrong) locked up in the banks, the land in a great measure undrained and insufficiently cultivated. Let them, therefore, join together, and devise some means by which these evils might be remedied, and the relations between landlord and tenant placed in a better position.

VISCOUNT PALMERSTON: Sir, there cannot be a subject of discussion more deeply interesting to this great assembly than one which is connected with the welfare of Ireland, because no man can deny that Ireland is a most important part of the United Kingdom, that the prosperity of Ireland must be an essential ingredient in the prosperity of the rest of the Empire, and that anything which shakes or mars it must materially affect the interests and well-being of the whole nation. But in discussing this question it is most important that our attention should be fixed upon leading and fundamental principles, that we should not be carried away by superficial notions, and that we should not attribute great effects to insufficient causes. Now, there was much in the speech of the hon. Member for Dungarvan (Mr. Maguire) in which it is impossible for me to concur. It has been said by hon. Gentlemen who have taken part in this debate that the Irish love justice. I agree with them, and I am sure that upon reflection the Irish nation would not wish that to be done which would be pregnant with injustice. Now, if there be one thing more than another which a nation in my opinion is bound to respect and regard, it is the rights of property, because upon those rights every man, however rich or however poor, must find it his interest to rest and to depend. And if laws are passed which infringe the rights of property, depend upon it that in the main those laws would be injurious to the nation in which they are passed, however tempting and apparent may be the advantage which for a time may be expected to arise from their operation. Now, Sir, I cannot bring my mind to the conviction that there can be any justice, and therefore that there can be any permanent advantage in doing that which the hon. Member for Dungarvan pointed at in the latter part of his speech —namely, giving to one man the right of determining what should be done with respect to another man's property. The hon. Member said—as I understood him—that in his opinion the veto of the landlord ought not to be sufficient to prevent the tenant from making unauthorized improvements upon the property of the landlord, but that some tribunal should be created — quarter sessions, or some other, I forget what was passing in his mind — which should determine as between landlord and tenant what changes —for I will not adopt the word improvements, for they may not be improvements —but what changes the tenant should make upon the landlord's property, and what should be the conditions of rent and of period of occupation which the tenant should be liable to and have a right to with regard to the landlord. Now it seems to me that an arrangement of that kind would violate the fundamental principles of justice.

Mr. MAGUIRE said: I rise to order. [*Cries of* " Order " *and* " Chair!"]

Mr. SPEAKER: The noble Lord is in possession of the House, and if the hon. Member has been misunderstood he will have the power of explanation after the noble Lord.

Viscount PALMERSTON: No one would regret more than I should having misunderstood or unintentionally misrepresented what the hon. Gentleman has said, and I accept with pleasure his disclaimer of the opinions which I conceived he had meant to express. But I have been quoted by him and other hon. Members as having made the assertions which many have taken objection to, that the right of the tenant was the wrong of the landord. Now, that is not what I said. What I stated upon the occasion to which I refer was this—that tenant-right, as I apprehend it to be understood in many parts of Ireland, was the landlord's wrong, and the tenant-right to which I then alluded was the right —I have just been discussing—proposed to be conferred upon him to deal with the property of the landlord without his consent and against his consent. That I consider to be the wrong of the landlord, especially when it is coupled with a reserved permission that, after a certain period, the tenant is to have the power to compel the landlord to pay for the changes which the landlord would not have made, and which he objected to being made at the time when they were made. Now, Sir, great complaints have been made, and in many respects justly, about the tide of emigration which has set from Ireland towards the shores of America. But how any change in the relations of landlord and tenant is to check that emigration has not to my mind been satisfactorily explained by anybody who has taken part in this debate, and least of all by the hon. Member who said that the great effect of the change contemplated would be to enable the small tenants to make improvements upon their holdings. Now, it has been well observed that no great agricultural improvements can be made except upon large holdings and with large capital. Everybody knows that the great majority of the tenants of Ireland have but small holdings of some five, ten, or fifteen acres, nor have they capital to improve any larger quantity of land which they might hold. But what does that condition of Ireland arise from? It is not from the mis-government of England. England has nothing to do with the subdivision of holdings, by which an immense and—as many people have thought—a redundant population has been created in Ireland. It arose from the very cause which is now held out as the remedy of the evils complained of—it arose from comparative fixity of tenure. It was fixity of tenure which led to the multiplication of holdings, to the immense population, and to the comparative backwardness of agriculture in Ireland. It is the long leases granted in the last century for sixty-one years and three lives—lives which had the peculiar property of enduring for an immoderately long period—lives which frequenly outlasted the sixty-one years—that created the evil. The occupying tenants who held under those leases were the least improving people in the world—they never improved—and I can say from my experience that when leases of that sort fell out, and those who held them became tenants at will, it was then they began to improve, assisted, no doubt, in some degree by their landlords, but they had a spirit of improvement inspired into them which they never had at any period of the long holding, which might be compared to fixity of tenure, and which was greater than the thirty-one years lease that the hon. Member for Dungarvan said was sufficient time for any improvement the tenant might make. Now, Sir, I hold that to establish that which is commonly called tenant-right — namely, to give the tenant the power of making alterations without the consent of the landlord, and even against his consent, and then of charging the landlord arbitrarily with the cost of those alterations which he never wished to be made, would be a great injustice, and, in many cases, would really amount almost to a confiscation of the landlord's property. But, upon the other hand, it is no doubt to the advantage, not only of Ireland, but of the United Kingdom, that encouragement should be held out to the tenant to make those real improvements which, according to the practice in Ireland, the landlord is not in the habit of making, as the landlord here is. No doubt for that purpose the tenant should have security that upon a change of occupation he should be reimbursed for improvements of a certain kind which he might have made upon the land which he holds. But then I say that the fundamental basis of that right ought to be mutual agreement and consent, and when hon. Gentlemen say that these agreements are not made I really cannot imagine why. It seems to me to be the natural course of affairs between landlord and tenant, that if the latter should wish to make material improvements either in buildings, drains, or fences, or any other agricultural improvements, he should go to his landlord and say, "The holding which I have wants these alterations, which you do not like or cannot afford to make. They will improve the estate. Well, then, I will make them, provided you, in the event of your turning me out within a certain period before I have been reimbursed by the length of my tenancy, will repay me a certain portion of my expenses before I quit your farm." What reasonable landlord would object to that? And what reasonable tenant would ask for more? Such an arrangement would be sufficient to provide for the improvement of the land, and adequately to guard the rights of property on the one hand, and the just expectations of the tenant on the other. Well, Sir, that was the principle of the Act of 1860. It was the result of long discussions in this House—of several Bills that were brought in, which were modified and altered, but did not succeed. We did bring in that Bill in 1860 which passed into a law, and which provided for mutual and spontaneous agreements between landlord and tenant, calculated, we thought, to secure the rights of property on the one hand, and on the other to encourage the agricultural improvements of which every one were necessary to the prosperity of Ireland. We are told that Act has not produced the results we were entitled to expect from it. That is a fair and legitimate subject of inquiry. We can have no objection to an inquiry relative to that Act. Such an inquiry has a distinct object, and might, I think, be concluded within a reasonable period. The larger inquiry proposed by the hon. Member for Dungarvan, which embraces the whole arrangements of landlord and tenant, and all the laws of Ireland belonging to these relations, would be an inquiry of almost interminable length, and could not be expected to conclude in any reasonable time. The point of difficulty—the point that requires investigation—is why that Act, with every appearance of being calculated to promote the tenant farmers' advantage, should have failed to do so. What are the circumstances which have prevented landlords and tenants from entering into the engagements contemplated by that law? Is it because the tenants, discouraged, have not made the application, or because the landlords have failed to enter into such engagements when applied for? What are the difficulties of detail or arrangement which tend to embarrass the operations of the Act? If there be such difficulties, let them be stated. We should be most happy to adopt any change consistent with the principles I have mentioned calculated to give to that Act an effective and real operation. Well, Sir, if the hon. Member for Dungarvan would consent to allow us, instead of the Motion which stands in his name, to move the appointment of a Committee to inquire into the operation of the Act of 1860, we should be perfectly ready to do so; and if the Committee contained good cross-examiners, so much the better. No doubt it would bring out results that would tend to the advantage of the country, and if so it would be satisfactory to the Government and every person interested in the welfare of Ireland. I object to the extended Motion of the hon. Member for Dungarvan, which would embrace so wide a range that we could not expect it could be completed within any reasonable period of time, and which, with his understood objects, would tend to establish principles to which I could not agree; but if he will consent to our substituting a Committee such as I have chalked out, to inquire into the operation of the Act—["Acts"]—well, the Acts of 1860, I should hope that would be satisfactory as showing a desire on the part of the House to investigate the causes which have prevented the development of agricultural prosperity in Ireland. And if the Committee can suggest any arrangement that may tend to mitigate existing evils and promote improvement we should be most happy that such a result had attended their labours, and be thankful to the hon. Member for bringing the subject before the House and giving us the opportunity of doing that which conduced to the public advantage.

MR. MAGUIRE said, that he wished, before saying how he received the proposal of the noble Lord, first of all to offer an explanation as to two statements made by the noble Lord. The noble Viscount had misconceived his meaning when he said that he would refer the question of rent to any tribunal. He had never said or supposed anything of the kind. Nor did he insist on leases of thirty-one years as satisfying every requirement of the tenant. He had expressed no opinion whatever on the point; all he asked was for some system that would encourage landlords to give leases, of whatever duration. As to the proposal made by the noble Lord, he in all frankness accepted it—that the Acts of 1860 should be referred to a Select Committee, with the intention to see why they had failed to work, and how they could be improved for the advantage of both landlord and tenant.

MR. SCULLY said, he was very glad that the noble Lord had made so reasonable a proposition. He had himself suggested the very same proposal to his hon. and learned Friend, and he had thought of proposing it as an Amendment at an earlier period of the evening. The Amendment he should have moved was in these words—

> "That a Select Committee be appointed to inquire into the operation of the Act of 1860, and whether that Act could be amended in any and what respect."

Such a Committee would enable them to get into the whole question. What he wanted was to ascertain how they should provide compensation to tenants for unexhausted improvements. He hoped this Committee would have men placed on it who, as his hon. and learned Friend the Member for Sheffield (Mr. Roebuck) expressed it, would really eviscerate the matter.

MR. WHITESIDE: It is of great consequence that the House should know exactly what is proposed. I have my own opinion on the subject, and I have only to say this—those who think the very awful facts which the hon. Member for Dungarvan truly described as existing in the South and West of Ireland are to be obviated by an Act of Parliament are labouring under a delusion. The hon. Member for Cork (Mr. Scully) who understands the question, spoke of the Act of 1860 in the singular number, and now let the House exactly understand what is to be done. The Act, which might be regarded as a consolidation of the law of landlord and tenant, was prepared by the late Lord Chancellor of Ireland (Mr. Napier), aided by one or two other Gentlemen who understood the subject. They failed in carrying that measure, but it was afterwards carried by the practical good sense of the then Attorney General, Mr. Deasy. That Act was the result of years of inquiry in the time of Sir Robert Peel—the Devon Commission; in which 120,000 questions were asked. Every Act of Parliament passed on the law of landlord and tenant from the time when the Saxons first landed in Ireland down to the date of that Act was repealed, and the whole law was put into one Act. There was substantially no difference between the law of landlord and tenant in England and Ireland. The hon. Member for Bradford (Mr. Forster) would not establish a set of laws for one part of the country and another for another, and he was equally confident that so enlightened a politician would not wish to contradict the principles of free trade in Ireland. I never could understand the policy of the statesmen who would seek to restore harmony between all parts of the United Kingdom by establishing differences between each part. I hope we shall have a law upon the principle of the Act which has been passed, giving every liberty of contract and removing every disability, which I think has been done already. But I trust we shall not, under any mistaken notions of relieving disability, give power to one to decide what another must do. I would entreat the House if it consents to this Committee to appoint one which understands the subject. If a Committee should sit down to overrule the present law, they will not only do no good, but inflict injury. It is a specific question to consider whether an Act of Parliament lately passed has been useful, and the inquiry may be brought to a safe if not to a satisfactory conclusion within a limited space of time. I think the Committee will speedily ascertain whether the last Act was useful, because it appears that no one cared anything about it. That which did not work could do no harm. I cannot help congratulating the hon. Member for Bradford on his manly and sincere speech, in which he informed the noble Viscount at the head of the Government that unless he consented to the appointment of this Committee, he (the hon. Member) and the important section of the House influenced by his ability and eloquence, would transfer their allegiance to the rising star of the Whig party, and were prepared to make the first Minister of the Crown the right hon. Gentleman the Chancellor of the Exchequer, who began the other night by making a statement of the principles which would recommend him to the party to which the hon. Gentleman belongs. He wished to call attention to the fact that the word "Acts" had been used in the Amendment, whereas he (Mr. Whiteside) believed, from what had fallen from the hon. Member for Cork (Mr. Scully), that the proposed inquiry was only intended to refer to one Act, the 23 & 24 *Vict.* c. 153, which had reference to the tenure and improvement of land in Ireland.

MR. SCULLY said, it was not for him to settle the form of the Motion. That duty lay between the noble Viscount and the hon. Member for Dungarvan.

MR. WALPOLE said, he understood that the noble Viscount and the hon. Gentlemen near him had settled the exact terms in which they thought the inquiry should be pursued. The question raised by the Motion about to be put from the Chair was whether the House intended to go into the whole question of the law of landlord and tenant, or whether they would confine the inquiry to one Act, relating to the tenure and improvement of land. If it were intended that the working of more than one Act should be inquired into, then he as well as the noble Viscount would be much mistaken if any termination would be brought to the inquiry by the end of the summer. If the inquiry were limited to the question they had been discussing it would be a useful inquiry.

SIR HUGH CAIRNS said, if the inquiry were to be made into the Act of 1860 that would fully meet the original Motion of the hon. Member for Dungarvan, because the Act of 1860 was the code which constituted the law relating to landlord and tenant in Ireland. It would be idle to take objection to the original Motion in order to substitute that which would be exactly the same thing expressed in other words. He did not think there was any doubt as to what the noble Lord meant, as he was most clear, as he invariably was, in his expressions. The noble Viscount said if the Act which passed in 1860, regulating the mode by which agricultural lands might be let, had proved a failure, that would be a fair subject of inquiry. He (the noble Viscount) said the hon. Member (Mr. Maguire) might have an inquiry into the causes which led to the failure of the working of that Act, and that was what the House distinctly understood should be the form of the inquiry. If the inquiry were to be in any other form than that, let them have the original form proposed by the hon. Member for Dungarvan.

MR. W. E. FORSTER said, there could be no doubt that the Act passed by Mr. Cardwell was the Act under discussion; but on reference to the debates of 1860 it would be found that two Acts were brought forward together, and considered together, and it would be exceedingly difficult for the Committee fairly to consider the first Act without having the second also under their consideration.

LORD NAAS said, the opinion of the hon. Gentleman who had just down was not the opinion of the noble Lord at the head of the Government, who had expressed his unwillingness to disturb the present law relating to landlord and tenant; and he (Lord Naas) thought the arguments of the noble Lord perfectly conclusive. The noble Lord said that a certain Act had passed in 1860, and that the failure of that Act would be a legitimate subject of inquiry.

Amendment, by leave, *withdrawn.*

Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the operation of the Acts of 1860 upon the relations of Landlord and Tenant in Ireland,"—(*Viscount Palmerston,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Amendment, by leave, *withdrawn.*

Another Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the operation of the Act 23 and 24 Vic. c. 153, on the Tenure and Improvement of Land in Ireland,"—(*Viscount Palmerston,*)

—instead thereof.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Words *added:* — Main Question, as amended, put, and *agreed to.*

Ordered, That a Select Committee be appointed to inquire into the operation of the Act 23 and 24 Vic. c. 153, on the Tenure and Improvement of Land in Ireland.

And on *Thursday,* April 27, Committee *nominated* as follows:—

Mr. MAGUIRE, Mr. Secretary CARDWELL, Lord NAAS, Sir ROBERT PEEL, Mr. SEYMOUR FITZGERALD, Mr. LOWE, Mr. HUNT, Mr. WILLIAM EDWARD FORSTER, Lord CLAUD HAMILTON, Colonel GREVILLE, Sir EDWARD GROGAN, Sir COLMAN O'LOGHLEN, The O'DONOGHUE, Lord DUNKELLIN, Mr. CAIRD, Mr. GEORGE, and Mr. BAGWELL:—Power to send for persons, papers, and records; Five to be the quorum.

INCLOSURE BILL—[BILL 89.]

COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

MR. PEACOCKE said, he had to complain that the lands proposed to be inclosed were not clearly stated in the schedule. No one reading this Bill could know what inclosures were intended by the description of "Epsom Common" and "Epsom Common fields." Such information might easily be given, and he should like to obtain an assurance that it would be afforded in future schedules. He suggested that the distance of these inclosures from the metropolis, or from any large town, should be stated.

THE CHAIRMAN said, that a special Report by the Commissioners used to be necessary with respect to inclosures within fifteen miles of the metropolis; but by a more recent Act no inclosure could take place within that distance without the assent of Parliament. A special Report was also made in such cases.

MR. BRISCOE said, that the inclosure referred to by the hon. and learned Member (Mr. Peacocke) had been the subject of full and careful inquiry by the Inclosure Commissioners, and no injury would be sustained by the public in the inclosure.

MR. PEACOCKE said, he should feel himself compelled to divide the House upon the schedule, unless the right hon. Gentleman gave him some assurance that the engagement which had been made with him should be kept. He wished to know if the necessary information should be given to the House for the future.

SIR GEORGE GREY said, that a note should be added to the schedule in the case of property within a reasonable distance of London. In this instance the understanding made with the hon. Gentleman had been carried out by the omission from the schedule of the inclosure of a part of Epsom Common.

House *resumed.*

Bill *reported;* as amended, to be considered on *Monday* next.

EDUCATIONAL AND CHARITABLE INSTITUTIONS BILL—[BILL 97.]

LEAVE. FIRST READING.

MR. LYGON, in moving for leave to bring in a Bill to provide for the Episcopal Superintendence of certain Educational and Charitable Institutions, said, that within the last few years many of these educational and charitable institutions had been founded in various parishes in England with the consent of the incumbents of those parishes. It was quite possible, however, that in the course of time, with the appointment of other incumbents, there might be some difficulty experienced in conducting these institutions. The institutions to which the Bill specially referred had chapels attached, and in these chapels divine service was performed with the consent of the incumbents. He proposed, however, that they should be placed more immediately under the control of the Bishop of the diocese, who would be intrusted with the power of granting licences for these places of worship under certain regulations which would at the same time guarantee the fulfilment of the intentions of the founders.

Motion *agreed to.*

Bill to provide for the Episcopal Superintendence of certain Educational and Charitable Institutions, *ordered* to be brought in by Mr. Lygon and Mr. Walter.

Bill *presented,* and read 1°. [Bill 97.]

THAMES RIVER.

Select Committee on the Thames River *appointed;* and, on *Thursday,* April 6, Committee *nominated* as follows:—

Mr. Milner Gibson, Mr. Malins, Sir Stafford Northcote, Mr. Bathurst, Sir Frederic Smith, Mr. Gregory, Mr. Hankey, Sir Francis Goldsmid, Mr. Neate, Mr. Baring, Mr. John Reginald Yorke, Mr. Dawson Damer, and Mr. Henry Fenwick:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at half after Eleven o'clock, till Monday next.

* * *

HOUSE OF LORDS,

Monday, April 3, 1865.

MINUTES.]—Public Bills — *First Reading*— Juries (Ireland) [h.l.] (55); Courts of Justice Concentration (Site)* (56); East India (Governor General's Powers, &c.)* (57); Sheep and Cattle* (58).
Second Reading— Public Schools (32); East India High Courts* (54); Drainage and Improvement of Lands (Ireland) Provisional Order Confirmation* (50).
Committee—Marine Mutiny*; Mutiny.*
Report—Marine Mutiny*; Mutiny.*
Third Reading—Consolidated Fund (£15,000,000) and *passed.*

JURIES (IRELAND) BILL.

PRESENTED. FIRST READING. (NO. 55.)

The Marquess of WESTMEATH in *presenting* a Bill to amend the law relating to Juries in Criminal Cases in Ireland, said, the matter was one which ought to be taken up by the Law Officers of the Crown, and not left in the hands of a private Member of their Lordships' House; but there had been lately some glaring instances of failure of justice in Ireland which were quite sufficient to justify him in laying the present Bill upon the table. In Donegal an accused person had been three times put upon his trial for the murder of a steward, named Grierson; the jury could not agree, and after the third trial the prisoner was discharged. A merrymaking was the consequence, at which the Roman Catholic clergyman appeared, tar barrels were burnt, and great mobs assembled to rejoice at the escape of the accused. In Monaghan a man was tried for the second time for the murder of his wife, and there again a most lamentable failure of justice took place. A man was tried in Mullingar for having attempted to seduce a soldier from his allegiance to Her Majesty, and to induce him to enlist in the American army. In that case one of the jurymen said he considered it no crime at all, and he would never consent to a verdict which would tend to the support of British laws. Unfortunately, in Ireland, the Crown had abandoned the right of challenging the jury, and the consequences were such as he had mentioned in the north-east and west of Ireland. Now what he proposed to do was to enable juries to return a verdict where three-fourths were agreed, and also to enable the Law Officers of the Crown to change the venue where such a course might appear to be required.

Bill to amend the Law relating to Juries in Criminal Cases in Ireland, and for other purposes—*presented,* and read 1ª; and to be *printed.* (No. 55.)

PUBLIC SCHOOLS BILL—(No. 32.)

SECOND READING.

Order of the Day for the Second Reading read.

Petitions against the Bill of Masters, Fellows, and Scholars of St. Mary Magdalene College, Cambridge; of Edward Allesbey Boughton Ward Boughton Leigh; of Persons educated at Eton; of Warden and Scholars of New College, Oxford; of Governors and Trustees of Shrewsbury School; of Trustees of Rugby School; of inhabitants of Harrow, and Pinner—*presented.*

The Earl of DERBY said, he had two Petitions of considerable importance to present against the measure. The first was signed by twelve Professors and eighty-one Tutors and Lecturers of the

University of Oxford, and constituting, he was told, fully three-fourths of the whole educational staff of the University. It was not signed by a single Head of a House, or by any member of the University, except those actually engaged in the business of teaching. The Petitioners stated that they had witnessed with concern the introduction of the Public Schools Bill, by which it was proposed to vest in certain "governing bodies" large powers for the present reform and management of the Schools in question, that no permanent governing bodies, and particularly not such governing bodies as were contemplated in the Bill, could be advantageously intrusted with the making of new statutes for the public schools, nor with their future regulation; and thus, since they were composed for the most part of former masters, who, however distinguished for literary or scientific acquirements, had no practical knowledge of education; the Petitioners expressed an opinion, in regard to which he entertained some doubt, that the duty of making laws and regulations for the government of these Schools should be intrusted to an Executive Commission appointed for a limited time, and not connected with the Schools, and similar to those enjoyed by the Oxford and Cambridge Commissions; they thought that schools were most advantageously dealt with on the responsibility of the Head Master, and they added that those schools had flourished most which were least interfered with by the governing body; the Petitioners apprehended that the residence of one or more of the governing body in or near the School would weaken the authority of the Head Master; and they prayed their Lordships to withhold their sanction from the Bill, especially those clauses relating to the powers and constitution of the governing bodies of schools. The other Petition against the Bill was from parties whose rights of property were seriously interfered with by the measure. It was from the Wardens and Commonalty of the Mercers' Company. The Petitioners set forth that St. Paul's School was founded in 1512 by Dean Colet, a member of that body, and son of a mercer, who gave the Company certain estates absolutely for the payment of a sum of £79 8*s*. 4*d*. for the education of 153 boys—a very moderate sum, as it seemed, for that purpose; they stated that Dean Colet gave the surplus property to the Company; that since his decease the value of these estates had much increased; that the Company had, however, never applied the surplus to their own use; that there had, on the contrary, been a deficiency, and that, for many years past, they had applied a sum of £7,000 a year towards the purposes of education in connection with the School; that the School House having been burnt down in the Great Fire of 1666, it was rebuilt by the Mercers' Company out of their private resources; that in 1861 a Royal Commission was appointed to inquire into the management of Public Schools and made a Report, in which they recommended that the claims of the Company to the surplus income arising from the estates left by Dean Colet should be settled by a judicial decision, and they represented that until that was done it would be premature to bring any scheme relative to the school before Parliament; the Petitioners complained that, notwithstanding this Report, the present Bill contained clauses which would injuriously interfere with their rights, and which would prevent them from disposing of property with which they had a right to deal; that this was a scheme affecting the private property of the Mercers' Company, the right to deal with which it was proposed to vest in another body; the Petitioners represented that it was unjust to deprive them of the power of managing St. Paul's School; and they prayed that the measure might not pass into a law, or that if it should obtain their Lordships' assent the clauses affecting their rights and interests might be expunged therefrom. This was a petition from persons who were well entitled to express their opinions, and whose interests ought not to be jeopardized without the fullest consideration.

THE EARL OF CLARENDON: My Lords, in moving the second reading of a Bill, founded upon the recommendations of a Commission issued under Her Majesty's letters patent in 1861, for the purpose of inquiring into the endowments, emoluments, studies, management, and teaching of certain Colleges and Schools, I think it will not be useless or out of place if I briefly recall to your Lordships' recollection the circumstances under which that Commission was issued, and the spirit in which it conducted its inquiry. It is most erroneous to suppose that that spirit was hostile in general to the schools and colleges which were the subject of inquiry. This Commission was due to my lamented relative, Sir George Cornewall Lewis, of whom

Eton was justly proud—a man who had attracted the marked admiration of his contemporaries—and whose loss was deeply mourned by all. In common with other thoughtful men he came to the conclusion that our old public schools were not keeping pace with the age, and that, relying on their ancient renown, their well established reputation and undoubted usefulness, they had become to a certain extent stagnant and unmindful of the requirements of a time characterized by remarkable mental activity and by general improvement in the systems of education. He therefore thought the moment had arrived for inquiry into the causes and remedies of defects which were unquestionable, and to which public attention was aroused. The inquiry, however, was undertaken and conducted not with a desire to condemn, but in that spirit which prompts men to improve and to render as far as possible perfect, that which they hold in the highest respect. My Lords, the Commissioners were named by my lamented Friend; and putting myself out of the question—which I do unaffectedly—I say they were well entitled to the confidence of the country. Eton, Westminster, Rugby and Harrow could not have named more efficient, able, and friendly representatives; and we had the advantage of associating with us as our Secretary the distinguished Professor of International Law at Oxford. We began by issuing printed questions in a tabular form to the authorities of the schools, and subsequently to professors and tutors of colleges, all of which were answered with a readiness and a completeness which deserve our hearty acknowledgment. We personally visited the schools, we examined 130 witnesses, we held 127 meetings, and produced four blue-books. [*A laugh.*] Noble Lords may laugh, but I will undertake to say that those books did not meet with the usual fate of such literature, but were read and commented on throughout the whole country, and the interest they excited was unquestionable. Our Report and the recommendations it contained were the result of long and careful inquiry and of much anxious discussion; and I was, therefore, sorry to find that my noble Friend opposite (the Earl of Derby) gave these recommendations a very qualified approval and that he applied to them the well known lines—

> "Sunt bona, sunt quædam mediocria, sunt
> plura mala
> Quæ legis."

I confess that I heard my noble Friend with regret, the more so because on such a subject the well earned fame of my noble Friend as a scholar gave, if possible, additional weight to his opinion. I also heard with regret that my noble Friend thought we ought not to have brought in a Bill this year, and ought to have remained another year without doing anything, in order to give the authorities of the different schools time to consider whether any of our recommendations could be introduced with advantage into the institutions over which they presided. My Lords, twelve months have elapsed since that Report was issued, debates have taken place in both Houses; and I announced that we would postpone any legislation on the matter until this year, in order to give full time for consideration, and for spontaneous adoption by the school authorities of such portions of the recommendations as they approved; and, as I said before, the question attracted general attention throughout the country. In introducing a Bill, therefore, this year on the subject, I think there is no undue haste on the part of the Government and no unfair pressure; and I cannot agree with my noble Friend in thinking that the delay of another year is necessary — because it would be an absurdity, or rather an insult to the governing bodies and the learned Head Masters of these Schools, to suppose that in the course of twelve months they would be unable to make up their minds as to the expediency or the usefulness of our recommendations, if they intended to take those recommendations into consideration at all. I say that if they did not do so in the first year, still less would they do so in the second, when they might fairly assume that the Government was negligent, that Parliament was indifferent, that the question had become stale, and that no legislation whatever was likely to be attempted. But facts are better than arguments in such a case as this, and I can give a practical proof that no such delay would be necessary, because within three months after our Report was issued, the enlightened and accomplished Head Master of Rugby School, whose time and energies are as sorely taxed as any other Head Master in England, issued, after consulting with the Masters, an elaborate report to the Trustees of the School, pointing out which part of our recommendations he should advise them to accept and to act upon. Dr. Temple said that there would never perhaps be so good an opportunity of introducing reforms into the

School, and he therefore proposed to the Trustees to bring into immediate operation that part of the recommendations which he thought would be beneficial. I think, therefore, that if within three or four months Dr. Temple came to this conclusion, there would be no impossibility in other Head Masters making up their minds as to the expediency of pursuing the same course. I will go further and say that from the many and anxious inquiries addressed to us as to the intentions of the Government, I feel certain that the feeling would have been one of bitter disappointment if legislation had been postponed for another year. When, therefore, my noble Friend complains of the recommendations of the Commissioners and the undue haste of the Government, I hope I am not wrong in attributing this criticism to the exigencies of the first night of the Session, when my noble Friend is under the necessity of finding fault with each paragraph of the Speech. At all events, I am sure I should be wrong in attributing to my noble Friend any desire to give a party character to a subject which of all others should be kept out of the political arena and clear of political strife, because the question at issue—namely, the method which should be adopted in our public schools for the formation of character, and the fitting of 3,000 English youths for the high positions which they will be called on to fill—is a question of national interest.

My Lords, it is not my intention on the present occasion to advert to the defects and shortcomings of these Schools. They must be familiar to those of your Lordships who have read the Report; they have been largely commented upon by the press; and I think I shall best consult the wishes and feelings of the House if I confine myself to an endeavour to explain the Bill which is immediately under your consideration. The Bill, I trust and believe, will in no respect interfere with the great feature of our public school system—the system of government and of discipline, resulting in that manliness, that self-reliance and independence of character, that love of freedom combined with respect for authority, which give to our public Schools in England so large a share in moulding the character of our national life. We do not forget that the object of a public school education is no less to form the character than to develop the mind—indeed, I may perhaps say it is still more so, because between the ages of ten and twenty the character is formed for good or for evil, and receives an impulse and direction which undergoes no essential variation; whereas, after the age of twenty, a man may and often must learn, and the promptings of ambition or the pressure of self-interest will compel him to correct the deficiencies of his education. But, I will ask your Lordships, is it necessary that when a boy of nineteen leaves school—I know there are great and brilliant exceptions, but I am taking the average boy—is it necessary that when a boy of nineteen has learnt to be manly and self-reliant, and has been imbued with the character of an English gentleman, he should at the same time be unable to construe an easy sentence from the Latin or the Greek, should be unacquainted with the history and literature of his own country, should know no modern language besides his own, and be scarcely able to write even that correctly—that he know nothing of physical laws, and, in fact, after having passed the best years of his life in learning, should have learnt so little? I do not think this is right, and I think your Lordships will all be of opinion, not alone from the results of our inquiry, that a defect must exist somewhere. I may say that the aim of the Commission was to place in the hands of the teaching and governing bodies of the Schools, and of parents and of the public generally, the information of which we were possessed. Before this, one School knew little of the system pursued at others. We, therefore, thought it essential that the information given should be ample and unreserved, and we trusted to the pressure of public opinion to carry into effect the necessary reforms; but we never for one moment entertained the idea of reforming the discipline and government of the Schools by direct legislation. Nor, if we had done so, would the Government have sanctioned such a contrivance. We felt that in order to carry into effect the necessary reforms the task should be intrusted to those who are properly responsible—the governing bodies of the Schools. The governing bodies, who know the practical working of the system, are the most competent judges of when, and how, and to what extent, modifications of the existing system would be judicious. It seemed to us that the province of Parliament was to confer sufficient power on the governing bodies, and to take care that it was accompanied with commensurate responsibility. This, my Lords, is the principle of the Bill, and its scope is limited to the definition of the governing bodies and their relations to the

Head Masters. We consider that improvement of the governing bodies was necessary, because as at present constituted we did not think they are equal to the discharge of the duties imposed upon them. It is hardly necessary to refer to the changes which have taken place in the functions of these governing bodies since the foundations of the Schools. The foundations themselves are of very early date ; one was established at the close of the 14th, and another at the beginning of the 17th century ; one during the reign of Richard II., and another during that of James I.; and, naturally, the enormous developments which have since taken place in the size of the Schools have produced corresponding changes in the governing bodies. In the alterations which we thought necessary to introduce we did not aim at uniformity ; but there are some principles that are common to all governing bodies. They should be permanent—they should not be too numerous ; but they should, at the same time, be protected by the number and character and position of their members from domination of whatever kind, whether of local, of personal, or professional influence. We desired that they should comprise men conversant with the world, with the requirements of active life, and with the progress of general science. There are powers of two kinds which we desire to give to the governing bodies ; some of them to be used at once, others according to circumstances and to the necessities which may arise. The foundations in course of time have undergone very important changes, and it is highly necessary that these changes should either be confirmed or modified by some competent authority, instead of being left, as now, in a condition which must naturally give rise to a conflict of authority. We think it essential that at old foundations, such as Eton and Westminster, there should exist extensive powers of amendment. But where, old constitutions having been construed according to usage or necessity, there has arisen a lamentable absence of moral obligation, there is necessarily a great absence of security that changes, when advisable to be made, will be undertaken with definite views and under due responsibility. Your Lordships will find in the clauses of this Bill provisions by which all statutes, amended or new, shall be laid before Her Majesty in Council, and that five Privy Councillors, two of them members of the Judicial Committee, shall be appointed to whom such matters shall be specially referred. All such statutes likewise must be published. There are thus abundant safeguards against their hasty adoption or any interference with the rights of individuals. We also propose to give the governing bodies the power of framing regulations with regard to the management of the Schools. These regulations at present vary to a considerable extent. In some schools, again, there is a direct control over the foundation ; in others, the control is neither direct nor undisputed. In some cases, therefore, the governing bodies interfere where they are not properly responsible ; in others, they refrain from interfering where they ought properly to do so. I know that the section to which I am now alluding, which gives power to governing bodies to make regulations, is one that has excited a great deal of interest, from the fact that there are those who fear it may operate prejudicially. I should be extremely sorry if I thought that it would undermine the authority of the heads of the different schools. We are fully alive to the importance of making the Head Master independent within his proper sphere, and of leaving his management of the School in all the details of education unfettered. But there are some matters upon which the Commissioners thought, and the Government have agreed with them, that some power of interference should be vested in the governing bodies. For instance, we have thought it desirable that the governing bodies should have a voice—

> "With respect to the number of boys other than boys on the foundation in the School, their ages, and the conditions of admission to the School. With respect to the mode in which the boys, whether on the foundation or not, are to be boarded and lodged, and the conditions on which leave to keep a boarding-house should be given. With respect to the payments to be made for the maintenance and education of the boys other than boys on the foundation, including fees and charges of all kinds, and to payments by boys on the foundation in respect of anything which they are not entitled to receive gratuitously ; and with respect to the application of the moneys to be derived from those sources, and of moneys paid out of the income of the foundation on account of the instruction of boys on the foundation. With respect to attendance at Divine service, and, where the school has a chapel of its own, with respect to the chapel service and services. With respect to the times and length of the holydays. With respect to the subjects of study and the general discipline and management of the school. With respect to the general disposal (otherwise than by way of mortgage or alienation) of any surplus income belonging to the school in such manner as

may, in the opinion of the governing body, best promote the efficiency of the school as a place of education."

These are all matters in which we thought the interference of a discreet and well constituted governing body might be beneficial; and I may also add that those recommendations are all founded upon the evidence we have received. But I beg your Lordships to remark that these are not powers necessarily to be used, but discretionary powers. In some schools the governing bodies, feeling satisfied with the conduct and success of the Head Master, wisely abstain from all interference; but there are other cases in which interference, or rather the knowledge that the power of interference exists, may operate most beneficially. Despotism is never safe or prudent, no matter in whose hands it may be placed; it is always liable to abuse, unless some checks be imposed upon it, or unless it is attended with corresponding responsibility. All these matters are left to the governing bodies, and I am bound to say that within the duties of their sphere, and acting according to their instructions, they, as well as the Head Masters, have rendered service. We have also thought it necessary to deal with some of the privileges of the foundations; because, upon careful inquiry, it appeared that sometimes they did not fulfil either the local, personal, or general intentions of the founder. As the details of these proposals have excited a good deal of remark, I will, with your Lordships' permission, read a short extract from the Commissioners' Report with respect to the foundation at Harrow. The Commissioners say—

> "There are at both Harrow and Rugby, boys who, as the sons of residents, are educated at charges to the parents much lower than the rest, and much below what may be called the cost price of the teaching they receive. A foundation boy at Harrow receives, like others, instruction in school, but he does not, like others, pay for it; and thus the expense of teaching one class of boys is borne by the parents of another class, directly or indirectly, or by the masters themselves. It is, however, to be observed that the parents of the boys who are thus privileged are chiefly—at Harrow almost exclusively—strangers to the neighbourhood, who have come to reside there temporarily for the mere purpose of obtaining, at little expense to themselves, a good education for their children. The question we have to consider is, whether the maintenance of the local privilege in favour of these persons, and of the few permanent residents who desire a public school education for their sons, is recommended either by respect for the founder's intentions or by any other sufficient reason. We think that it is not. That such a privilege as we have described should be enjoyed by the class which now chiefly enjoys it was certainly not intended or contemplated by the founder; we cannot, from his expressed intentions, infer that he would have deemed it desirable, nor does it appear to be a legitimate adaptation of them to the circumstances of the present day. That persons of small means should be enabled to educate their children well and cheaply is, no doubt, a public advantage, provided this is done without either indirectly throwing an increased charge upon others, or curtailing the just remuneration of the teacher. But this, in our opinion, is already sufficiently met by the admission of home-boarders, who differ from foundationers only in paying a fair price for the instruction they receive. We shall recommend, therefore, the abolition in these cases of the local privilege, due precautions being used to prevent hardship to persons who may have taken up their residence in a particular place with the view of availing themselves of it."

With respect to the introduction of men of literature and science into the governing bodies, much objection has been taken and much difficulty has arisen; but I can safely say, upon the part of the Government and the Commission, that having no intention to cast the slightest slur on the existing bodies, they were of opinion this should be done solely as a matter of principle having regard to those different branches of study, the establishment or more vigorous prosecution of which at our public schools they deemed to be desirable; and this provision of the Bill has been introduced as applicable to this view of the subject. We saw no reason why men who had devoted themselves to science and literature should necessarily be devoid of common sense and judgment; and I am sure if your Lordships had the opportunity which the Commissioners enjoyed—and I say "enjoyed" advisedly in the fullest sense of the word—of hearing the evidence of the Astronomer Royal, Sir Charles Lyell, Professor Faraday, and other eminent witnesses, and learning how powerful were their arguments in favour of endeavouring to ascertain the individual capabilities of the boys, instead of compelling all boys to run invariably in the same groove; how full of hope and promise they were that the process which they advocated would prove successful, and how moderate their demand was that a certain time should be allowed to be abstracted from what may be called the more normal studies—I think you would be of opinion with the Commissioners, that no governing body would be the worse for the change in this respect which we propose. I am myself a member of a governing body, and I most heartily desire the prosperity and welfare of the great school with which I am connected, and I feel it would be of the utmost advantage that my Colleagues and myself should have the assistance of men eminent in letters and science. But, whatever may be your Lordships' decision on this point, I beg it to be distinctly understood that we cast no reflection whatever on any of the members composing the present governing bodies, and that it is simply as a measure of general expediency that we make this proposal, and as a proof that we desire to recognize the honour due to science and literature.

Our aim, I may add, in this Bill has not been to introduce details on which legislation could not be well brought to bear. Our first object was to place the future Government of those schools in able and competent hands; the next to guide, to a certain extent, the bodies so constituted, admitting at the same time that there is no system of education and discipline which will not require much attention. I trust the proposals we make will recommend themselves to the notice of your Lordships and that you will permit this Bill to be read a second time. It was the province, as it is the duty, of the Government to introduce a measure to give effect to the recommendations of the Commission, and we are of opinion that the petitions which have been laid on the table this evening afford some proof that, in proposing a moderate measure, and steering a middle course, we have done justice on the one hand to the existing authorities, and on the other to those who have protested against their shortcomings; although we may have at the same time exposed ourselves to a double fire from those who advocate opposite views upon this question. On the present occasion I will express no opinion on either side, and will only say that when the Bill goes into Committee after the Easter recess, it behoves the Government to take into their consideration whatever Amendments may be proposed in the same spirit in which I am sure they will be brought forward, and with the same anxious desire by which we are all animated, cordially to co-operate in the endeavour to achieve the national object of giving to the rising generation and generations yet unborn all the adavntages which a sound public education can confer.

Moved, "That the Bill be now read 2^a."—(*The Earl of Clarendon.*)

Earl STANHOPE said, he readily acknowledged the moderation, candour, and fairness of the statement which had just been made by his noble Friend. Of the Bill, however, which that statement was intended to explain he could not speak with equal satisfaction. Some of the changes which were proposed in it were not in his opinion changes in the right direction, and others would not, he thought, effect the objects which the Government professed to have in view. The Bill was introduced by his noble Friend in his double capacity of Chairman of the late Commission and one of Her Majesty's Ministers, and recommended by this authority he should very much regret if any person in that House moved its rejection on the second reading. He thought it behoved their Lordships to go into Committee upon it. But in Committee it would certainly require a sifting, a thorough examination—the more so since, as he would beg their Lordships to observe, the Bill was not so much a single measure as a *congeries* or collection of Bills containing different provisions applicable to different schools. He (Earl Stanhope), in the first place, took exception to the provision relating to the appointment of members of the governing bodies by the nomination of the Crown, which applied to some schools and not to all. If there was one advantage which more than another had hitherto distinguished the public Schools of England it was their complete exemption from the influence of party spirit. He did not ascribe to the present Government that they would be actuated by any party motives in the appointments which they might make; but there had been times in our annals—and that at no very distant period—when party spirit might have formed an element in the making of those appointments; and the introduction of such a spirit even in the smallest degree in the case of those public bodies was, he thought, extremely to be deprecated. As things at present stood no questions were asked as to the politics of those by whom our public schools were governed. Nor was any distinction made between the sons of the most opposite politicians who were educated at the school. But even assuming, for the sake of argument, the principle of Government nomination as one which it would be well to adopt, why, he should like to know, was it to operate in the case of some schools and not in the case of others? That was a point on which he should like to have some explanation, and he trusted it would be furnished by his noble Friend. There had within the last few days been circulated in a printed form a representation from the Provost and Fellows of Eton, in which they said—

> "While it is left to the trustees of Harrow and Rugby to elect their own governing body no reason has been assigned why the addition to that of Eton should not be left in the hands of the present members of the College."

And again—

> "While the Election of the Warden of Winchester is placed in the hands of the governing body the appointment of the Provost of Eton is transferred from the College to the Crown."

So much for that part of the Bill; but there was another portion of it also to which, in his opinion, very strong grounds of objection existed. As it stood its operation would be to sever that connection which had so long subsisted between certain Schools and certain Colleges at Oxford or Cambridge. Now, that connection had, he believed, been productive of very great advantage on both sides, as was very clearly pointed out in the case of Shrewsbury School and St. John's College, Cambridge, in a letter which had a few days ago appeared from the Master of that College in *The Times* newspaper. Under these circumstances it appeared to him to be extremely inexpedient that such a connection should be altogether swept away. Then, again, he could not understand the provision by which it was proposed to deal with the right of visitation. Was it contended that such a right of visitation as at present existed in these cases—in which, for instance, the Archbishop of Canterbury and the Bishop of London were, he believed, joint visitors at Harrow School—was not likely to be attended with advantage? In what manner, he would ask, was it now proposed to deal with that right of visitation, for the Bill, as he believed, was silent on that point? Then, passing to another branch of the subject, he confessed that, notwithstanding the remarks of his noble Friend, he was inclined to regret the entire abolition of the rights of foundationers at the public Schools. At Harrow, and some other places, it was proposed to preserve existing rights, but that in future the privilege should cease altogether. As far as concerned persons who went to reside at particular places, merely in order that their sons might enjoy these advantages, this provision might be fair; but as to *bonâ fide* residents and those locally interested, he thought that it would be productive of hardship. In saying this he wished to guard himself against being supposed to go the length of a Resolution which had been adopted at a Meeting of the Vestry of Harrow held on the 6th of March, to the following effect:—

> "The Vestry protest more earnestly against the proposed alteration in the existing rules which prescribe a necessary local connection between the parish and those chosen to be governors—regulations which they are well aware have not been fully carried out at the two last elections."

It appeared from the concluding words that the object of the Vestry was not the continuance of the present practice, but the renewal of one which was already in great part obsolete. It appeared, above all, that according to their view, or to a legitimate deduction from it, even the most unfit man, if he had property in the parish of Harrow, was better qualified to be a governor than the most fit man who had no such property connection. Was it really possible to put forward such a claim in the present day? It might find currency among those who were locally concerned, but it would be a matter of surprise if it should receive the support of a single Member in either House of Parliament. Looking to the whole subject, and to the difficulties which surrounded it, he was inclined to think that it would be better to leave the decision of these questions to an Executive Commission—he did not mean a Commission with unlimited power, but one similar to those to which the reformation of the Universities of Oxford and Cambridge was intrusted, and which had discharged their duties with signal success. Of Oxford he could speak in some degree from personal knowledge, and he would appeal to the most rev. Prelate (the Archbishop of Canterbury) whom he saw opposite, as to the good effects in practice which had resulted from the work of that Commission. The establishment of a Commission of that kind was the more to be desired because the governing bodies of these schools were to be re-constituted. He did not desire to see an uniform system applied to all schools; on the contrary, he should deprecate any levelling measure, or the sweeping away of all special usages or particular distinctions; but still, there were many points to which the supervision of a central body might be applied with advantage. Take the case of the subjects of study. New subjects might have to be added, as in the case of modern languages or natural sciences. Old subjects might have to be omitted—as in the case of that most preposterous practice surviving in no one country but this—the practice of Greek composition. In the case, then, of any changes being made—as they should be, but not till public opinion was fully ripe, and went cordially along with the change proposed — these changes could not, of course, be limited to any one school, but must apply, if at all, to every one of them. The aid of a superintending body or central Commission would then become absolutely necessary. Nay, more, it would be indispensable, in such cases, to take a comprehensive view, not only of all the schools together, but also of the Universities and schools as combined to one common end. This last point had been extremely well put by Dr. Kennedy, than whom no abler or worthier man had ever, perhaps, presided over any any of our public schools. Dr. Kennedy, the Head Master at Shrewsbury, had last year published a letter in reference to the question to which he (Earl Stanhope) had just now referred—the question of Greek composition in verse and prose ; and he pointed out that since schools were held as preparatory to the Universities, it would be impossible to discontinue that practice at schools so long as prizes were granted for it, or examinations were held comprising it at Oxford or at Cambridge. He (Earl Stanhope) was also most anxious that the necessary improvements should, if possible, be made by the governing bodies themselves, as was the case under the Oxford and Cambridge Acts, rather than be forced upon them by external legislation ; and that object might, he believed, be best attained by means of such a Commission as he had suggested. Their Lordships might rely upon it that of all reforms none was so so safe or so lasting as self-reform. It was only when the ruling powers continued to refuse to reform themselves that it was justifiable to enforce their compliance by a power from without. With such views, then, he would go into Committee. He would oppose certain portions of the Bill in Committee, without, however, being in any way influenced by that party spirit which he agreed with his noble Friend (the Earl of Clarendon) ought to be entirely deprecated by their Lordships in examining a question of so much importance.

The Earl of DEVON said, that it having been his privilege to be associated with the noble Earl who had introduced this Bill as a Member of the Commission upon Public Schools, he was anxious, in the first place, to avail himself of the opportunity of stating his entire concurrence with nearly all the conclusions at which the noble Earl had arrived. He felt it to be his duty to support the Bill, reserving to himself the right of proposing in Committee—supposing their Lordships to read the Bill a second time—such modifications as he might think the various provisions of the Bill required. Looking at the general scope of the Bill, he thought the Government had exercised a wise discretion in confining its provisions to two objects—one being the modification of the governing bodies, and the other the removal of certain local privileges. The other details of the Bill would more properly form the subject of discussion in Committee, where the various clauses would have to be re-considered. The noble Earl who had just sat down (Earl Stanhope) stated his preference for the appointment of an Executive Commission on the ground that it would lead to greater uniformity.

Earl STANHOPE observed, he had expressly stated that he did not wish for uniformity.

The Earl of DEVON said, he was sorry he misunderstood the noble Earl ; still, he thought the appointment of an Executive Commission must in the result tend to greater uniformity than the plan proposed in the Bill. It must be observed that it was only proposed by this Bill to modify, and not to overthrow, the existing governing bodies of these Schools. The governing bodies would be, in the main, the same as formerly ; certain additions would be made to them, and certain persons would be removed from them, but the main staple would be the same, and the additions would bear but a small proportion to the existing bodies. Then any reforms which might be introduced would be greatly influenced by the traditions of the Schools. Whether such modifications as were suggested should or should not be made appeared to him to depend upon the question whether the public schools were at present in a satisfactory condition. In his opinion a more beneficial application of the funds at the disposal of those bodies might, in many cases, be made. He did not think any noble Lord could read the Report of the Public Schools Commission and the evidence taken before them, without seeing that much was required to be done to adapt our public schools to the requirements of the time. He did not think that the tendency of this Bill was to reduce the influence or fetter the discretion of the Head Master. At any rate such was not the wish or intention of the Commissioners. On the contrary they distinctly recommended that, as well upon certain specified subjects placed under the control of the governing body as upon all subjects affecting the instruction or management of the school, it should be incumbent on the governing body "not only to consider attentively any representation which the Head Master might address to them, but to consult him in such a manner as to give ample opportunity for the expression of his views." He regretted that a provision to give binding force to this recommendation was not introduced into the Bill. The constitution of the existing governing bodies differed according to the origin and constitution of the several schools. In some, as Eton, Westminster, and Winchester, the school forms part of a collegiate or ecclesiastical foundation, and the Government, as well as the property, is vested in certain principal members of the foundation. In the case of Harrow and Charterhouse the governing body were appointed under the charter; at Rugby and Shrewsbury by Act of Parliament. Eton was governed by the Provost, Vice Provost, and a number of Fellows. In speaking of that School, he (the Earl of Devon) wished to express his concurrence in the opinion expressed by the noble Earl with respect to the readiness of the authorities at Eton to give the fullest information on all matters affecting that foundation. In Winchester the governing body consisted of a Warden and six Fellows; and in Westminster of the Dean and Chapter. If improvements were to be introduced into these Schools, they could not satisfactorily be carried out without a change in the governing bodies, and the alterations proposed in the Bill with regard to the governing bodies would go far to enable those Schools to do more efficiently those duties they had so long and so honourably discharged. Among these duties were those of regulating the number of boys, their board and lodging, the school fees and charges, the attendance at Divine service, the length and times of the holydays, the subjects of study, and the general disposal of any surplus income belonging to the Schools. For these purposes, the proposed composition of the respective governing bodies appeared to him, on the whole, well adapted. The second branch of the Bill dealt with certain local rights of gratuitous education, the abolition of which, saving existing rights, appeared likely to be beneficial to the schools. He was not disposed to offer any opposition to this change, which appeared to be justified by the change of times and circumstances. Under these circumstances, he felt bound to express his general concurrence in the Bill.

THE BISHOP OF LONDON: My Lords, in common with many of your Lordships, I feel very great difficulty with regard to this measure. It seems to me to be the desire of many noble Lords that the second reading of this Bill should be agreed to; and yet there seems to exist a doubt in the minds of many whether the Bill will really accomplish the objects for which it is intended. I must confess I sympathize very much with the noble Earl (Earl Stanhope), who said it would have been the better course if this subject, as in the case of the Universities, had been referred to an Executive Commission, and I cannot see that modifications in the governing bodies directly made by Parliament will better accomplish the purpose. If I remember rightly, when the Universities were reformed, there was a great change made in the governing bodies of those institutions, and an Executive Commission was appointed to carry out certain fundamental changes which it was supposed would be better in their hands than in those of the governing bodies from year to year. I cannot help thinking that in the case of the changes which may be required in these public Schools it would have been better if the precedent of the reform of the Universities had been followed as closely as possible. Without intending any offence, I think I may say that this Bill is especially framed for the reform of Eton. No doubt it will appear invidious to make this assertion; but I believe that those who most heartily desire that Eton may flourish will be those who evince the greatest anxiety that the institution may arrive as nearly as possible at a state of perfection. The hold which this great School has upon the affections of the country, can never, I think, be diminished. As the education imparted at Eton is, so in a great degree will the education of the country be. The Universities themselves will be affected by the condition of this School. No one can consider its traditions, its noble buildings, the list of great names which it has produced, without honouring the place and understanding the desire of the parents of this country to enrol their sons among its members. It is the fashion in some quarters at the present time rather to disparage Eton. Some of the evidence produced before the Commission speaks strongly of a state of things among the generality of the boys which is by no means creditable. Still no one will, I think, forget how much the country owes to the School, and how much Eton at the present time contributes to the education of the country. My own experience as the tutor of a college at Oxford induces me to say that no young men more distinguished themselves in obtaining open scholarships at the University than the Etonians; and I have no reason to think that the present race of Etonians is inferior. I should be ungrateful were I not to say that there is no School in the country where young boys are better attended to, their characters more watched, and all that is good within them better developed than at Eton. The boys and the masters of Eton are possessed of that sort of feeling which a young man experiences on first becoming a member of Christ Church, and viewing on the walls of that college the list of statesmen, divines, and men of letters who have adorned it; or which induces others to regard the time when they became Fellows of Trinity as the proudest moment of their lives. That sort of feeling fully accounts for the great popularity of the place, and the desire of parents that their sons should be educated at an institution where there is so much in the recollections of the past to incite them to exertion; and for this reason, therefore, Eton will ever be the leading School of the country. But in proportion to the strength of this feeling, the more imperative is it that the School itself should be brought as near perfection as possible, and if we feel that there are some defects, we are anxious to see them remedied. Among the admitted evils of the present state of that and other public schools is the system of double government, and the absence of any direct and adequate responsibility; by which it may happen that a man placed in a very responsible position, and selected to fill that position on account of his merits, is to have a man sitting opposite to him to prevent him from carrying out that which, in his conscience, he regards as desirable. This opposition is not offered from any feeling of obstructiveness, but arises simply from the fact that a man naturally does not believe in the possibility of his successor improving upon the system which he himself has maintained. This is a defect which, I think, Eton, in common with some other of the public schools, labours under—that there is not sufficient responsibility devolved upon one man. Now, besides this great difficulty of the double government, there is also the great difficulty attendant upon the limited sphere from which the Head Master is selected. Whether the statutes of the college require that the Head Master should be selected from so narrow a sphere, I do not know; but as a matter of fact, the competition is very limited. No doubt admirable men are selected in spite of this limitation. No doubt Eton possesses Masters in every respect worthy the position they occupy, and fully deserving the regard which is extended to them; but this is the result of accident, and it can surely never be right that the highest place of education in this country should be so circumstanced as practically to have only one or two men from whom the Head Master can be selected. These are evils which it is very important to have remedied. A man who from his childhood, from the time when he was ten years of age, joined a school and has continued in the same place till he is sixty, never leaving it except during his three years' residence at the University, and even then consorting with those who come from the same school, is naturally exceedingly averse to change, though the change may be imperatively called for. As this is the result which may naturally be expected, it is no shame to this great place of education that it requires some changes. I think we may be convinced that the whole machinery of the place is such that it would be totally impossible that any great change should take place unless some one steps in to alter the constitution of the School. It is a curious question whether this Bill does alter the constitution of the School or not. On the one hand we are told that this is a most revolutionary measure—that you are going to introduce the authority of the Crown to sweep away all the old arrangements of the School. But let us consider what is the real state of the case. You have at present six Fellows, a Vice Provost and a Provost—that is, eight persons—and you are going to add to those eight persons, who are all Etonians, and who have most of them been Masters of the School, another who is Head of the Eton College at Cambridge, three other gentlemen who are to be nominated by the Crown, and two others who are to be elected by the existing body. So that you have eleven persons who are exactly similar to what they are at this moment; and are you to suppose that the three whom you are to introduce will be so powerful as to overrule the others and revolutionize the School? I cannot participate in the great alarm that seems to be felt that this great institution will be shaken by the introduction of those three nominees of the Crown. But then comes another grave question. The eminent Head Master of Eton sees another danger, and to my mind it is a grave one. At present he has to deal with the Provost; but according to this proposal, he will have to deal with the governing body. That is a danger which is greatly apprehended by all the Head Masters with whom I have had an opportunity of communicating. The governing body is, in the first instance, to be resident—one member is to reside for nine months, and most of the others for three months at least, and they are to have much more definite power than before. In fact, they will have nothing else to do but to interfere, and they are called upon by Act of Parliament to interfere as much as possible. I hold in my hand also a statement from the Masters of Harrow, who are all alarmed at the proposed constitution of their governing body. Now, no doubt these rights of interference are probably possessed by the governing bodies at this moment; but then they are not stirred up by Act of Parliament to interfere, and no doubt you wish by this Bill to stir them up to do so. The present governing bodies might be used for that purpose if necessary, but you do not put it into everybody's head to be perpetually using such powers. The eminent Head Master of Rugby, whose authority has been before quoted, has written to me in some alarm about these men of science whom it is proposed to introduce, and he is not a man likely to be easily alarmed. He says that what the School needs is trustees of good sense and knowledge of the world, and he fears that these four men of science would be perpetually tempted to justify the necessity for their appointment by trying to do what the Head Master ought to do if he is fit for his post. But that would be to diminish the Head Master's sense of responsibility, and I am confident in the end the School would lose more than it would gain. These are some of the difficulties with regard to the measure. But there is the further difficulty of dealing with persons whose property is very much interested—the difficulty with respect to the boys on the foundation at Harrow and Rugby. That something ought to be done with regard to these foundationers, I have no doubt; but whether they ought to be swept away may reasonably be questioned. But, at all events, I think all who are interested in this matter are entitled to be heard. It has always struck me that persons of moderate means among the upper classes—clergy, professional men, half-pay officers, and others—are with regard to the education of their sons placed in a great difficulty, to which such persons are not exposed in other countries. In Germany, France, Scotland, and other countries there is a facility of education for persons of moderate means which does not exist in England, and these foundations, whatever be their other advantages or disadvantages, certainly do open a means of education at moderate expense for such persons. Now, I think that the present system might be modified very much and greatly improved, and that if persons who are interested in the matter were heard before an Executive Commission the whole arrangements of the schools might be far better matured than they have been in the plan proposed. At the same time, far be it from me to throw the slightest impediment in the way of the reform of these schools, and if it be thought that to read this Bill the second time and afterwards consider it in Committee is the best mode of securing the great objects which the Commissioners have at heart, and for their careful inquiry with regard to which the country feels grateful, I shall be only too happy to promote their view.

THE EARL OF DERBY: My Lords, my noble Friend who moved the second reading of this Bill adverted to an observation which I made at the commencement of the present Session, from which he seemed to think that it would be a part of my *quasi*-official duty to find fault with this measure. Upon that occasion I certainly did make use of an expression which was perhaps too strong—rather stronger than I was justified in using. On that occasion I said, in speaking of the Report of the Commission, *Sunt bona, sunt quædam mediocria*, but I beg my noble Friend to observe that I said *sunt mala plura*—not *sunt plura mala.* I then spoke under the impression that my noble Friend was about to introduce a measure giving effect by the authority of Parliament to the recommendations of the Commissioners, and I thought if that were the case that it would be much better that time should be given to the various colleges and schools to see how far they could accommodate themselves to those recommendations, how far they were adapted to their own case, and whether they could conscientiously assent to them. The right rev. Prelate who has just sat down (the Bishop of London) has said quite correctly that the main object of the Bill is to attack Eton; and I and every Eton man must feel grateful for the terms in which he spoke of that great college, the justice he has done to it, and the tribute he has paid not only to its general excellence, but to the classical attainments of those who go from it to the University. But my noble Friend seemed to think that something had been done at Rugby. He said that in Rugby they had considered what recommendations could be adopted, that what had been done in one school might be done at others, and he intimated that no steps had been taken at Eton to comply with the recommendations of the Commissioners. Now, I received only a few days ago a letter from the Provost of Eton, some part of which, perhaps, my noble Friend will allow me to read. [The noble Earl then read some passages from the letter, in which the writer stated that it was not true that they had been idle since the Report came out; that several arrangements with regard to leases had been made at a sacrifice of £1,200 or £1,500; that they had opened some exhibitions for oppidans; that they had relieved the scholars from certain payments, were prepared to go further in the same direction, and that, in short, there was no part of the recommendations which was mere questions of money which they were not ready to carry out as soon as possible; that the Head Master had formed a scheme by which French and mathematics would be no longer neglected, but that they could not alter in a few months things which had been going on for 300 years.] I hope this will be my justification for the statement which I have made that it was desirable that some time should be given to the various schools in order to enable them to act upon the recommendations of the Commissioners of their own accord. But my objection as to the precipitancy of the measure does not apply to the present Bill, because, whatever its defects or merits, it does not really carry out any one of the recommendations of the Commissioners. It does not of itself make any alteration in the system of teaching, the course of studies, or the management of the schools. But what it does is this:—It attempts to constitute a new body which shall have power to deal with certain regulations and to make statutes. With regard to the composition of that body I must say that I think the proposal extremely objectionable. I am at a loss to understand why the authorities which we find in possession of the governing power under this Bill should be so different in their composition; why there should be nominees of the Crown in one school and not in another; why there should be representative scientific men in one school and not in another. I confess I do not entertain any apprehension that the three nominees of the Crown at Eton and the scientific men will overbear the eleven others who are members of Eton; but I think that the system and principle of introducing any Crown nominee whatever, or any interference on the part of the Government of the day with these great Schools, whose chief characteristic hitherto has been the entire independence which they have maintained, is clearly objectionable, and equally objectionable whether the number be three or thirteen. Whether it be three or thirteen is, in point of fact, very different, but the principle is just the same—it is the admission of the vicious policy of interference by the Crown with the governing bodies of these Schools. Now, with respect to these scientific gentlemen. How are they to be appointed? I do not know whether it is intended that these scientific gentlemen should pass a competitive examination. Are these governing bodies, who may have three or four vacancies, and who may have half-a-dozen scientific candidates for the stipendiary fellowships, to institute a competitive examination before they appoint; and how are they to decide that a man is distinguished for literary and scientific attainments? At Eton the stipendiary Fellows are to be "distinguished for literary or scientific attainments, or have done long and eminent service to the School as Head Master, Lower Master, or Assistant Master." At Winchester the qualification is the same. At Shrewsbury the nominees of the Crown qualified are to be "graduates of Oxford or Cambridge, and men eminent in science and literature." When we come to the

Charter House, Harrow, and Rugby, we find that there are to be additional governors, who are to be "persons distinguished for literary or scientific attainments." I have the honour to be one of the governing body of the Charter House, and I may speak with some degree of pride of those who are my Colleagues. We have some among us who are quite as capable of judging of the qualifications of the Master and the management of the School as the most scientific persons who can be introduced under this Bill. There are among the governing body the two most rev. Prelates, the right rev. Prelate who has just addressed your Lordships, and who has some acquaintance with the management and discipline of public schools, two ex-Lord Chancellors, Sir George Turner, we had the late Sir Cresswell Cresswell, and others, who are quite as capable of managing an institution of that kind, and of seeing that it is properly conducted, as any persons distinguished for literary and scientific attainments. I agree with the right rev. Prelate when he said that if you introduce scientific persons into the governing body of these Schools, there is considerable danger that they will attempt to put forward that particular study in which they have obtained eminence. I do not propose to enter at the present moment into any discussion of the governing bodies as proposed to be constituted under this Bill. I will, therefore, only express my conviction that the introduction of nominees of the Crown and of men distinguished for literary or scientific attainments are two very objectionable provisions, with both of which I trust your Lordships will deal when we go into Committee. But what I wish distinctly to understand is, supposing these governing bodies to be constituted, and that we have confidence in them, with what object are the powers intrusted to them only conferred for two years? I can understand why this limit was adopted in the case of the University Commission, because it was required that certain statutes should pass, and if they did not pass before a certain time the Commissioners themselves were to pass the statutes and supply the deficiency. My noble Friend, however, distinctly stated in his opening speech that it was not intended to put any pressure upon these governing bodies, even if they thought fit to make no change whatever.

THE EARL OF CLARENDON said, that the noble Earl had misunderstood him.

The powers of the governing bodies were limited in time, for the same reason that the Oxford and Cambridge University Commissions were limited—in order that, if any statutes required to be altered or amended, it should be done at a future time.

THE EARL OF DERBY: This is a very important question. We know that there are certain things which the governing bodies of these schools may do; but what I want to know is, whether it is expected that these bodies shall do the things that are laid down for them under pressure, and whether, if they do not do these things for themselves, they will be done for them —which is the sort of pressure that was placed on the authorities at Oxford. I lay great stress upon this, because a measure which I should consider perfectly unobjectionable if the governing body are left free to adopt or not to adopt these changes, I should regard as highly objectionable if Parliament is to lay down certain things as desirable to be done, and to say that, if they are not done, it may be necessary to introduce another Act of Parliament to compel them. I will take the case of the Charter House, for example. There are two provisions, one subjecting the election of nominees by competitive examination, and the other the removal of the Charter House from its present site, which, I say, are highly objectionable. I venture to say that no governing body of the Charter House would ever recommend either of these two propositions, and if they are put down in the Bill as things which the Government expect to have done, and which will be done for the governing body if they fail to do them for themselves, I shall object to see them both introduced into this Bill. If, however, these changes are to be purely voluntary, and if it is to be left to the governing body to admit them or not, then it may be an advantage to leave matters as they stand in the Bill; but then the governing bodies must be left absolutely uncontrolled in the exercise of their discretion as to any one of the propositions laid down in the Bill. My Lords, I have no intention of offering any opposition to the second reading, and I will not, therefore, enter upon a discussion of the details of the Bill; but, agreeing with the right rev. Prelate that it is most important that the parties whose rights are affected under this Bill should have a full and fair opportunity of being heard, I should have supposed the Government would not object to refer this Bill to a Select Committee, where these various clauses may be fully and fairly considered, where the parties interested may have an opportunity of stating their case before your Lordships, and where the various clauses may be more freely discussed than before a Committee of the Whole House. I would have made a Motion to that effect, but I am given to understand that the Government had been led to believe that no opposition would be offered to the second reading, and that they did not come down to-night prepared to discuss the question whether the clauses of the Bill should be examined in a Committee of the Whole House or before a Select Committee. I do not wish to take them by surprise, but unless they assent to a Select Committee, it will be desirable when the Motion is made to go into Committee on the Bill that an Amendment should be moved for referring the Bill to a Select Committee.

The Archbishop of CANTERBURY: My Lords, having had intrusted to me petitions from Harrow and Eton, I think it right to make a few remarks. The observations which have been made on the constitution of these governing bodies only confirm me in the impression that it is more desirable that an Executive Commission should be appointed than that this Bill should be referred to a Select Committee. I agree with the noble Earl opposite (Earl Stanhope) as to the success which attended the Oxford University Commission. Having been a Member of it, it is not for me to pass a judgment upon it, but I may say that when it was first issued it caused universal dismay; but before that Commission ceased to act that dismay disappeared, and one of the most gratifying circumstances occurred at the conclusion of our work. A large deputation from the University came up to ask for the extension of our powers. The eminent success of the Commission was very much owing to the opportunity it afforded to the members of different bodies to come before us and state their objections, by which means we were able at last to bring them over to our views. The same apprehension and dismay which took possession of the University of Oxford has now taken possession of the Head Masters of public schools, and I think that the best way of dealing with the matter is by the appointment of a Commission similar to those of the Universities of Oxford and Cambridge. I agree with much that has been said about the members of the new governing bodies. It is quite true that many of the governing bodies of our public schools have powers similar to those proposed to be given to them by this Bill — such, for example, as the power of directing the studies and controlling the management of the schools. But, as has been observed, these powers are in abeyance, and it would be most unwise to exercise them, and if the attempt were made great inconvenience would result. The governing body at Rugby tried at one time to interfere, but the attempt was wisely not persevered in. I may also mention that twenty-five years ago the trustees of some of the newly founded proprietary schools made a similar attempt. They had elected as Head Masters, men of distinguished academical reputation; but the interference of the governing bodies or trustees was so distasteful to the Head Masters that the efficiency of the schools was seriously impaired. That would, I fear, be the case if the governing bodies exercised the powers proposed to be given to them by this Bill, and they will do so if Parliament passes the present measure. Referring to Harrow School, I would remark that it appears to me the privileges of the foundation boys will be destroyed and the main object which John Lyon, the founder, had in view will be defeated. It is true that the present condition of the school is very different from that which the founder contemplated and desired. The sons of tradesmen and farmers are deprived of the privileges which they used to enjoy, and it would be difficult now to satisfy their just demands; but I trust matters will be arranged in a satisfactory way. But I must say I think it very hard on such persons as half-pay officers and poor widows having sons to educate, that they should not have a share of the advantages of our public schools, and the opportunity of educating their children there. It is true that John Lyon did not contemplate this; but it has grown up in process of time, and I believe that the custom is very beneficial to the school itself. According to the testimony of the Head Master, the home boarders are now much more amalgamated with the other boys than they used to be, and are brought much more into contact with their schoolfellows; they are engaged much more in the amusements of the school, and the home influence which is exercised over the rest of the boys is very beneficial. I should, therefore, be extremely sorry to hear of any rule excluding this class of persons from the privileges they now enjoy at Harrow. There is another power of interference with which the governors would be invested—the power of dismissing the master. At present, of course there is a power of dismissal for misbehaviour, but it seems to be intended that the governors should have the power of dismissing at their will and pleasure, and that is a power which should be hardly vested in them. One objection to the existing state of things is that these governors must now be persons who have property in the parish. That is, no doubt, too great a limitation; but I think some of the governors ought to be resident there, and should take part in the regulation not only of the school, but of the charities connected with it. I know no person more fit to perform those duties than the vicar of Harrow; and I believe it would be an injury to Harrow to say that the governors should be persons who had no local influence. It is not my wish, in making these observations, to interfere with the improvement of the public schools of this kingdom. There is no doubt they admit of improvement; but it is a little utopian to suppose that any Act of Parliament, or any Executive Commission, would enable every youth who quits these schools to construe Latin with ease and elegance. As the old proverb says, you may lead a horse to the water, but cannot make him drink. In conclusion I would say that I strongly incline to the Executive Commission rather than to the Committee upstairs; but in any plan that may be adopted I need hardly say that I shall be most anxious to promote the great object which this Bill has in view.

Viscount STRATFORD DE REDCLIFFE said, that after the turn the debate had taken he did not feel it necessary to make the remarks which he had intended when he came into the House. He rose at the same time with the right rev. Prelate (the Bishop of London), but he had been well rewarded by the eloquent address to which their Lordships had listened, which must have found its way not only to the hearts of all those educated at Eton, but of all who were interested in the education of the higher classes in this country. That Royal institution had through many ages set an example to the whole country; it might at the same time justly claim the praise attributed to it by the Commissioners — the formation in a great degree of the true English character; and it no doubt also exerted a favourable influence upon similar and less distinguished places of education throughout the country. He had heard the right rev. Prelate with the greatest pleasure, and trusted that what he had said to-night would long be remembered to the advantage of that great institution. He acquitted his noble Friend (the Earl of Clarendon) of any intention to enlist feeling against Eton; whatever his earlier impression might have been, the noble Earl must upon a closer inspection have done it proper justice. At the same time there were circumstances which justified the observations that had been made by the right rev. Prelate and the noble Earl opposite, and he trusted they would be attended to when the details of the Bill were considered. Their Lordships would have heard with satisfaction from the noble Earl that the Government were ready to adopt any reasonable Amendment, and that time would be given for the consideration of the Bill. At this moment, therefore, he did not think it desirable to go into the subject at any length, but would state his general impression that, notwithstanding the advantages held out by the Bill in some respects, it contained much which to his mind would in practice be attended with very serious objection. The great principles upon which the educational institutions of this country rested, and under which they had hitherto prospered, were certainly interfered with to a degree which did not seem necessary, and which would be attended with consequences very different from those which he was sure the Commissioners had at heart. It would tend, in particular, to lower the authority of the Head Master in the eyes of the boys to a very unfortunate degree. Unless, therefore, the Bill underwent very considerable alteration in Committee, and assumed a character very different from that which it bore at this moment, he should find it exceedingly difficult to give his vote for the third reading.

Lord HOUGHTON: My Lords, I trust that, whatever Parliamentary arrangement is made with regard to this Bill, the possibility of establishing one Executive Commission will not be excluded from our consideration. It appears to me that that question of one Executive Commission as against the present Bill, resolves itself into this—whether it will not be far more convenient, far more consentaneous to the objects of the Commission, and far more satisfactory to the people of this country, that this great matter should be arranged by one competent Commission than by what would be practically the establishment of seven separate Commissions, of which the competence may be somewhat doubtful. For, in truth, this Bill establishes seven Executive Commissions, one for each separate school, and the basis of each Commission is the present governing body with some small addition from the outer world. Now, if we can judge of this machinery from the experience we have any of us had of committees of institutions, or of governing bodies in general, it seems to me that to set about reforming any establishment by constituting the governing body of the establishment into a Commission, and adding two or three gentlemen from outside, is one of the most cumbrous methods, and one of the least likely to succeed, that can be imagined. It would surely be far better to leave the governing body of each of these schools as it is, and to intrust those bodies with the powers proposed to be conferred by this Bill. This extraneous element cannot, according to any condition of human nature, be received with anything like reverence or amity; and I cannot believe it possible that these three or four gentlemen, imported into any of these governing bodies, can act in any way save as a solvent of the governing body altogether. From the very circumstance of their professional habits and long residence and connection with one school, the heads of such institutions must feel themselves incumbered by the introduction of new Members, and to suppose that they will be ready to receive the advice given to them by those literary and scientific gentlemen in any spirit of good will, is a supposition opposed to all my experience. I fear the position of these gentlemen, distinguished by literary and scientific attainments, will be extremely uncomfortable when they get into any one of these governing bodies. Besides, it is very difficult to determine how in this case literary and scientific attainments are to be estimated. It is altogether a matter of opinion. A great many men whom I think distinguished for literary and scientific attainments, I dare say your Lordships might think distinguished neither for one nor the other. The difficulties, therefore, which encumber this question seem to me to lead to one conclusion, which I trust during the Easter recess will commend itself to your Lordships' mind—namely, the appointment of an Executive Commission. Such a Commission, constituted in a manner agreeable to the opinion of Parliament and the public, could, I believe, perform its delicate and difficult duties as well as the Executive Commission affecting Universities. Generous indeed was the acknowledgment made by the right rev. Prelate at my side when he said that the establishment of that Commission had been an object of great fear, but now that it was a matter of vast satisfaction. The present question is one deeply interesting to the hearts of the people of the country; it is not only a question of the moral and intellectual character of the higher classes in this country, it is a question, I may say, of their political supremacy. The very lowest classes of the community are making advances in education, and with the eagerness shown on this subject, the generation to come may be still more active. It will be impossible, I believe, for the wealth, property, and rank of this country long to keep themselves in the same right government, and to have the same influence which they now exercise, unless great reforms be made in the public school system. It may be the destiny of some men, like the great statesman and politician who passed away yesterday morning amid the lamentations of the people, to win position by intellectual superiority and genius, with little aid from external education. But that power must be given to few—with the majority education must be the means of making them fit to govern their fellow men; and it is only by a judicious reform of these schools, by adapting them to the present circumstances of the time, and making them fit to rear up men, not merely accomplished, honest, refined, and proud of their word, but men capable of grappling with all the intellectual questions that can arise in connection with the political life of the country; it is only in that mode that these schools can become, as they ought to be, nurseries of wise politicians, and founders of the greatness of the Empire.

The Earl of POWIS said, he did not think the precedent of the Oxford and Cambridge Executive Commission applied to the present case. It was absolutely necessary that each University in which twenty or thirty colleges went to make up a great corporation, should be visited by a Commission. But the public schools had no such relation one to the other; they all undertook the education of boys about the same age, and no one would dream of sending his son to them all one after the other, to complete his education. The noble Earl (the Earl of Clarendon), in introducing the Bill, said there was no wish on the part of the Government to procure absolute uniformity among the Schools; yet the tendency of a single Executive Commission must be in that direction. The Commissioners would naturally plan for themselves some ideal of a complete education, comprising everything from classics to music, and they would desire to import into the course of every school as many of these various requirements as possible; and in doing this this they would not regard the fact that they were destroying the individuality and idiosyncracy of the school. There was an illustration of this tendency in the Report itself. At Merchant Taylor's School the Commissioners found that mathematics predominated in the educational course, and they recommended that one-third of the time devoted to such studies should be cut off. The reverse course was the one which ought to have been pursued, allowing different educational establishments to acquire a reputation for careful instruction in some particular branch; and then different classes of persons would be able to select the school and the special character of education which they thought likely to be of most service to their children in after life. As regarded the local claims proposed to be extinguished, it must be remembered that these were found at other schools besides those already mentioned—at Shrewsbury for instance. He was at a loss to know why those local advantages should be swept away merely for the sake of the small pecuniary gain which might accrue to any particular school. It should be borne in mind that the founders of those schools had a double object in view. They desired to benefit the immediate neighbourhod, and to make the county town in which the school was established the centre of education for the people of the surrounding country; while they at the same time sought to connect the school, as in the case of Shrewsbury, with a particular college or one of the Universities, in order that the local element might not deteriorate the character of the education afforded; and they desired that while the school should be beneficial to the neighbourhood it should be maintained in such a position as to be able to supply a number of students to the Universities of such persons as were desirous of a University education within a reasonable distance of their own homes. If, then, a balance were to be struck between the high classical school and the demand for what was called commercial education which was now made in most of our towns, the solution of the difficulty would, he thought, be found not in the destruction of the existing character of a school, but in the establishment of a separate department for the lower class of education required; but he thought especial care ought to be taken to preserve the ancient character of the education which the upper and middle classes were desirous to secure for their children. There was also another point to which he wished briefly to advert. The Bill, as it stood, strongly invaded the connection which now subsisted between certain schools and colleges at the Universities, and which was of great advantage to both. Now, he could not understand how, because money had been left in trust to a local body, as at Shrewsbury, to supply scholars to a particular college, it could be regarded as fair that that college should be deprived of the benefit thus conferred, simply because the local body happened to be the trustee, instead of the college. He thought, indeed, it would prove extremely injurious to the future progress of education if it were supposed, by persons desiring to render a service to a particular foundation, that the Legislature would pay no regard to their intentions, but would treat their benefactions in a way very different from that in which ordinary charities were dealt with. In conclusion, he would simply express a hope that, bearing in mind the complexity of the interests which the Bill involved, and the inconvenient form in which some of its provisions were drawn, the Government would assent to its being referred to a Select Committee.

Lord LYTTELTON was anxious, as having been a Member of the Royal Commission, to say a few words on some of the points which had been raised in the course of the discussion. He would in the first place observe that the Bill was not the Bill of the Commissioners, and that they were not responsible for it. He had never seen it until it was printed, and although he approved its general scope, which was the general scope of the Report of the Commission, there were a few points in respect to which he should be glad to see some alteration made in its provisions. One of those points had reference to the Head Masters. One of the most essential parts of the recommendations contained in the Report, was that the powers of the governing body and the Head Master should be strictly limited and defined, and he should like to see the Bill in that respect rendered more in conformity with the recommendations of the Commission. Another point in regard to which also he thought some amendment might be made was one which was not noticed in the Report—he alluded to the election of the first governing bodies. The object which it was desirable to attain being to return a governing body in which there should be no predominant interest or bias, the first election of a preponderating number of the proposed governing bodies would, as the Bill stood, be placed in the hands of the existing governing bodies, and—without seeking to cast any blame upon them—it was impossible not to suppose that the objects sought to be obtained by the Bill might, as a consequence, be defeated, as they would naturally elect those who agreed with them in upholding the actual state of things. Now that, he confessed, appeared to him to be a serious difficulty; but he did not mean to propose that that difficulty should be met by increasing the power of nomination given to the Crown. Might it not be met by a provision to the effect that the first governing body of a school should be named in the Act itself? Thus the best governing body which it was possible to obtain would in all probability be secured, and to it might be safely intrusted the carrying into effect any new regulations. The appointment of those governing bodies was that which was looked upon by the Commission as the backbone of their recommendations. As to some of their members being nominees of the Crown in some cases and not in others, that no doubt was a fair question for argument. He thought that nomination by the Crown, instead of being derogatory or injurious to the public schools, would rather confer upon them a certain distinction and prestige in the eyes of the country, and place them with relation to other schools upon a higher level. Practically, the right of appointment in the case of the Provost of Eton had been almost exclusively exercised by the Crown. In their recommendation that some persons distinguished for literature or science should be added to the governing bodies of these schools, the Commissioners, he believed, meant to lay the main stress upon the selection of men of scientific acquirements. The reason for that was that, as natural science was about to be introduced as a branch of study, it was desirable that there should be in the governing bodies some gentlemen who might be referred to by their colleagues as authorities upon that subject. He regretted that the Bill dealt with St. Paul's School as connected with the Mercers' Company, because there was a legal question as to the rights of that Company, which ought, as the Report had recommended, to have been decided before Parliament was asked to legislate upon the subject. As to the local privileges of the residents of certain places, especially Harrow and Rugby, he was individually disposed to go even further than this measure proposed. These ancient privileges, in principle, were obsolete, and, with the exception of vested interests, were not deserving of the consideration of Parliament. He greatly regretted the introduction of those clauses of the Bill which provided that some of the scanty endowments of Harrow and Rugby Schools should be applied towards the general support of education in those districts. Education in this country had been dealt with in three divisions—those of the upper, middle, and lower classes. For the education of the lower classes ample provision had already been made. A Commission was now sitting to endeavour to improve that of the middle classes; and he thought that these great Schools ought to be reserved for the upper classes, for whose benefit they now existed. In America and other countries there was a mixture of classes in the same schools. That was not the case here, and he did not think that it was practicable here, even if desirable. The limitation of the power of the governing bodies to two years was confined to the making of statutes—upon the general powers of the governing body there was no such limitation. The Commission had recommended the constitution of such governing bodies as they thought would be in itself best for these Schools; he, for one, had certainly never meant to found those recommendations upon any great actual fault or misfeasance on the part of the existing governing bodies; and when a noble Lord said that the noble Earl who moved the second reading of this Bill had rested part of the case on the fact that Eton had done nothing to meet the recommendations of the Commission, he had rather overstated what his noble Friend had really said.

He was himself far too much attached to Eton to come forward as a public prosecutor to prefer charges against that School; but he could not say that enough had been done either there or at any other of these Schools, hardly even excepting Rugby, to induce their Lordships to hope that the necessity for improving their constitution would be superseded by anything which would be done by the existing governing bodies.

LORD CAMPBELL, in reply to what had fallen from the noble Lord who had spoken last, remarked, that an Executive Commission was not to be regarded as an alternative to new governing bodies, since part of its function would be to create new governing bodies. Even if an Executive Commission were not required at the other public schools, special facts, wants, and complications all demanded it at Eton. The new body proposed to govern Eton was universally condemned. The noble Earl, who led the Opposition, had insisted upon some, although not all of its defects. He (Lord Campbell), last Session, had attempted to point out the discordant elements of which it would be formed, and the absolute inaction towards which it tended. In the debate to-night not a speaker had defended it. If at Eton certain changes were required of the existing government, if the school was incompetent to make them, if the proposed body was yet more unsuited to the purpose, an Executive Commission became a necessary measure. The whole course of the debate had been to recommend it. More he would not add, since the hour of the evening did not warrant him in doing so, and since a deputation of Eton men would be likely soon to bring the subject more directly, and with greater clearness and authority, before the noble Lord who had presided over the Commission of Inquiry.

THE EARL OF CLARENDON, in reply, regretted that any noble Lord should suppose for a moment that he thought the Head Masters of the public schools were averse to the projected improvements in the regulations of those institutions. He had only particularized the Head Master of Rugby as being favourable to the alterations because that gentleman had published a very able letter approving them. He must say he had a very serious objection to an Executive Commission, as one body could not possibly govern so many Schools, and it would not answer to have seven or eight Executive Commissions to

supply the place of the governing bodies proposed by the Bill. Another objection to an Executive Commission was that it would be the means of establishing a certain uniformity among the public schools which would be far from desirable. Besides, an Executive Commission was not a continuing body, and it was absolutely necessary that the Schools should be regulated by a permanent governing body, always ready to amend and modify the rules whenever such alterations were necessary. He could not help regretting the little favour men of literature and science had found in their Lordships' House. It was said, in the first place, that they were not discoverable, and, secondly, that if found they would not be of much use. Now, he had heard from several of the eminent men who had given advice to those who drew up the Bill that men of literature and science were not only easily found, but that they were also well deserving of confidence.

THE EARL OF DERBY inquired whether the noble Earl intended to consent to the appointment of a Select Committee to consider the provisions of the Bill.

THE EARL OF CLARENDON said, the proposal to refer the Bill to a Select Committee had taken him by surprise, and therefore he could not give an answer to the question of the noble Earl without taking time for consideration.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* the *2nd of May* next.

House adjourned at a quarter before
Nine o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, April 3, 1865.

MINUTES.]—NEW MEMBER SWORN — Thomas Dyke Acland the younger, esquire, *for* Devon (Northern Division).

SELECT COMMITTEE — On Public Accounts, Mr. Stansfeld *added.*

Report—Open Spaces (Metropolis) (No. 178.)

SUPPLY — *considered in Committee* — Navy Estimates; Civil Service Estimates.

PUBLIC BILLS — *Ordered* — Roads and Bridges (Scotland)*; Commissioners of Supply Meetings (Scotland).*

First Reading—Roads and Bridges (Scotland)* [101]; Commissioners of Supply Meetings (Scotland) * [102].

Second Reading—Prisons (Scotland) Act Amendment * [91].
Report — Public Offices (Site and Approaches) * [99]; India Office (Site and Approaches) * [100].
Considered as amended—Inclosure * [89].
Third Reading — Small Benefices (Ireland) Act (1860) Amendment * [13].

OUT-DOOR CUSTOMS OFFICERS.
QUESTION.

MR. LYALL said, he wished to ask the Secretary to the Treasury, Why such an unequal system prevails at the Customs for remunerating their Out-door Officers, so that in some ports, like Whitehaven, where both the cost of living is higher and the business much greater than in many other ports, yet the salary of the Officers is on a more reduced scale?

MR. PEEL, in reply, said, the want of uniformity in the pay of Out-door Officers of Customs appeared to have arisen from the circumstance that up to 1856 those Officers were paid not by salaries, but by rates of daily pay, which varied according to the nature of the duties they were employed in; but in 1856 the daily pay was reduced to a uniform sum of 1*s*. a day, and the difference was commuted to a fixed salary, or wages, the amount of salary being fixed with reference to their average earnings during the three preceding years.

COLLECTION OF TAXES.—QUESTION.

MR. BAZLEY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it be his intention to re-introduce the Bill for the Collection of Taxes; and, if so, to include exceptional Clauses in the same, or the compensation Clause, as before?

THE CHANCELLOR OF THE EXCHEQUER said, he was bound to say that very great inconvenience was felt in the country from the want of a measure of this kind, and he much regretted having failed to obtain the assent of the House to it. At the same time, it was such a measure as it would not be satisfactory to have passed unless it received a very general assent, and he could not see any prospect of obtaining that degree of assent to it during the present Session. However, he looked forward to the House legislating upon the subject on a future occasion.

DEEP SEA FISHERY (IRELAND).
QUESTION.

SIR EDWARD GROGAN said, he wished to ask the Chief Secretary for Ireland, When the Report of the Deep Sea and Coast Fishery Commissioners of Ireland, for 1864, will be presented to Parliament?

SIR ROBERT PEEL, said in reply, that he expected to be able to present the Report to Parliament shortly after Easter.

INCOME TAX PAPERS.—QUESTION.

MR. LOCKE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he has recently received any communications relative to certain discrepancies in the papers which persons assessed to the Income Tax are called upon to fill up; and, if so, whether he will lay the same upon the table of the House?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that he had received a communication on the subject from one gentleman, and that was the only communication he had received. He had also received the answer of the Board of Inland Revenue to the statement made by that gentleman, and if his hon. and learned Friend wished to see the papers he could do so, and he would then be able to form his own judgment whether or not it was necessary to bring the matter before Parliament. For his own part, he thought such a course unnecessary.

ARMY—CULTIVATION OF GARDENS BY SOLDIERS.—QUESTION.

MR. W. EWART said, he wished to ask the Under Secretary of State for War, Whether he will state or allow a Return to be made showing to what extent the Cultivation of Gardens by Soldiers has been adopted in the Army?

THE MARQUESS OF HARTINGTON replied, that there would be no objection to produce the Returns. Up to the present time very few gardens had been cultivated by soldiers. A circular had lately been issued from the War Office giving greater facilities for the cultivation of gardens, and since the issue of that Circular many applications had been made. The weather had not lately been very favourable for garden operations, and he should be much obliged if the hon. Member would wait a month or two before he moved for the Return.

UNION CHARGEABILITY BILL.
QUESTION.

COLONEL WILSON PATTEN said, he would beg to ask the President of the Poor

Law Board, Whether he will fix a later day after Easter for going into Committee on the Union Chargeability Bill?

Mr. C. P. VILLIERS said, the Bill could not come on on the 27th, and he would state on the 24th what day he would proceed with it.

DRILL INSTRUCTORS OF VOLUNTEERS.

QUESTION.

Mr. J. R. YORKE said, he would beg to ask the Under Secretary of State for War, with reference to his statement that no Capitation Grant is made to Drill Instructors of Administrative Volunteer Battalions because they are not attached to any particular corps, Whether he is aware that the cost of clothing and equipping such Instructors now falls on the particular companies to which they are attached; and whether, considering the greater need companies in Administrative Battalions have of Government assistance, it is intended to make any provision for defraying the cost of such equipment?

The Marquess of HARTINGTON said, in reply, that in fixing the pay of Sergeant Instructors of Volunteers a sum was included to cover the expenses they were put to for lodging and clothing themselves. The pay of these Sergeant Instructors was 6*d.* a day higher than the pay of the similar rank of sergeants in the militia, that 6*d.* consisting of 4*d.* a day for lodging allowance, and 2*d.* in lieu of clothing allowance. He believed that in many cases the Sergeant Instructors were clothed by the corps which they instructed, but that was not in the contemplation of the Government when the rate of their pay was fixed.

VOLUNTEER OFFICERS — SERVICE ON JURIES.—QUESTION.

Mr. ALGERNON EGERTON said, he wished to ask the Under Secretary of State for War, Whether the Government have come to any decision on the question of the exemption of Officers of the Volunteer Force from service on Juries?

The Marquess of HARTINGTON said, that upon the representations made by the deputation introduced to Lord de Grey by his hon. Friend opposite, Lord de Grey made inquiries as to the facts relating to the exemption from serving on juries allowed in favour of militia officers. It appeared that they were not exempted from serving on juries except when the militia regiments to which they belonged were embodied. It was supposed that militia officers were exempted during the time their regiments were out for training, but such was not the fact, and it was only when their regiments were actually embodied that militia officers were exempted from serving on juries. Under these circumstances, it did not appear desirable to extend to Volunteer officers a privilege which was not enjoyed by militia officers.

OYSTER FISHERY.—QUESTION.

Mr. CAVE said, he would beg to ask the President of the Board of Trade, Whether the Report of the Sea Fishery Commission would be made in time for legislation on the Oyster Fishery during the present Session?

Mr. MILNER GIBSON said, in reply, that he did not think it probable that any legislation on that subject could be undertaken during the present Session.

ARMY—ORDNANCE EXPERIMENTS.

QUESTION.

Mr. PEACOCKE said, he rose to ask the Under Secretary of State for War, Whether it is intended to test the Lancaster, Scott, and French 7-inch gun, competition guns, by firing from them shells filled with powder, before coming to a decision as to the best system of rifling; and whether it is true that the 7-inch shunt and French guns have, in the late competition at Shoeburyness, been placed under similar conditions, and whether one has yet been fired from a wooden and another from an iron carriage; and whether other advantages have not been given to the shunt gun?

The Marquess of HARTINGTON said, it was rather unusual and very inconvenient that information of that kind should be asked for during the progress of these experiments. The experiments which had been ordered between the competitive systems of rifling were now going on, and not likely to be concluded for a short time yet. As a matter of fact, he believed the competition guns had not yet had shells filled with powder fired from them, and he could not say yet whether it was intended to test them in that way or not. As to the shunt and French guns, they had both been fired on wooden carriages; the shunt gun had been fired from an iron platform, but the French gun had not been placed on that platform. The Committee were not aware of any advantage having been given to the shunt gun over any other, and perhaps he might be permitted to observe that if the hon. Member supposed—as he appeared to do—that the Committee did not carry out the experiments fairly, he had better state to the House what the circumstances were which gave rise to that impression, rather than convey imputations against the Committee by means of questions.

RAILWAY SYSTEM (IRELAND).

QUESTION.

Mr. **WHITESIDE** said, he wished to ask the right hon. Gentleman opposite (the Member for Limerick County), When he proposes to bring on this Bill, and whether he has made any arrangement with the Government to secure a proper opportunity for its discussion ?

Mr. **MONSELL**, in reply, said, it was certainly his intention to bring on the measure, which excited very great interest in Ireland. It stood first among the notices for Friday upon going into Supply; but the Motion for the adjournment of the House unfortunately stood before it. He trusted, however, to be able to make an arrangement with the noble Lord at the head of the Government to secure the object which the right hon. and learned Gentleman desired.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE LATE MR. COBDEN.

Viscount **PALMERSTON** said: Mr. Speaker, it is impossible for this House to have that order put without calling to its mind the great loss which this House and the country have sustained by the event which took place yesterday morning. Sir, Mr. Cobden, whose loss we deplore, occupied a pre-eminent position both as a Member of this House and as a member of the British nation. I do not mean, in the few words I have to say, to disguise or to avoid stating that there were many matters upon which a great number of people differed from Mr. Cobden, I among the rest. But those who differed from him the most never could doubt the honesty of his purpose or the sincerity of his convictions. They felt that his object was the good of his country, however they might differ on particular questions from him as to the means by which that end was to be accomplished. But we all agree in burying in oblivion every point of difference, and think only of the great and important services he rendered to our common country. Sir, it is many years ago since Adam Smith elaborately and conclusively, as far as argument could go, advocated as the fundamental principles of the wealth of nations freedom of industry and unrestricted exchange of the objects which are the results of industry. These doctrines were inculcated by learned men, by Dugald Stewart and others. They were taken up in process of time by leading statesmen, such as Mr. Huskisson and those who agreed with him. But the barriers which long-established prejudice —honest and conscientious prejudice — had raised against the practical application of those doctrines prevented for a long series of years their coming into use as instruments of progress in the country. To Mr. Cobden it was reserved by his untiring industry, his indefatigable personal activity, the indomitable energy of his mind, and by—I will say—that forcible and Demosthenic eloquence with which he treated all the subjects which he took in hand—it was reserved to Mr. Cobden, aided, no doubt, by a great phalanx of worthy associates — by my right hon. Friend the President of the Poor Law Board (Mr. Villiers) and by Sir Robert Peel, whose memory will ever be associated with the principles Mr. Cobden so ably advocated—it was reserved, I say, to Mr. Cobden, by exertions which never were surpassed, to carry into practical application those abstract principles with the truth of which he was so deeply impressed, and which at last gained the acceptance of all reasonable men in the country. He rendered an inestimable and enduring benefit to our country by the result of those exertions. But, Sir, great as were Mr. Cobden's talents, great as was his industry, and eminent as was his success, the disinterestedness of his mind more than equalled all of these. He was a man of great ambition, but his ambition was to be useful to his country; and that ambition was amply gratified. When the present Government was formed I was authorized graciously by Her Majesty to offer to Mr. Cobden a seat in the Cabinet.

Mr. Cobden declined, and frankly told me that he thought he and I differed a good deal upon many important principles of political action, and therefore he could not either comfortably for me or for himself join the Administration of which I was the head. I think he was wrong. I lamented it, but it was he who had to decide. But this I will say of Mr. Cobden, that no man, however strongly he may have differed from him upon general political principles, or the application of those principles, could come into contact with him without carrying away the strongest personal esteem and regard for the man with whom he had the misfortune not entirely to agree. Sir, the two great achievements of Mr. Cobden were, in the first place, the abrogation of those laws which regulated the importation of corn and the great development which that gave to the industry of the country, and next the commercial arrangements which he negotiated with France, which paved the way for improving the trade, and tended greatly to extend the intercourse between the two countries. When the latter achievement was accomplished, it was my lot to offer to Mr. Cobden—not office, for that I knew he would not take, but to offer him those honours which the Crown can bestow—a Baronetcy and the rank of a Privy Councillor, honourable distinctions which it would have gratified the Crown to bestow for important services rendered to the country, and which I think it would not have been at all derogatory for him to accept. But the same disinterested spirit which actuated all his conduct, whether in private or in public, led him to decline even the acknowledgments which would properly have been made for the services he had rendered. Sir, I can only say that we have sustained a loss which every man in the country will feel. We have lost a man who may be said to have been peculiarly emblematical of the Constitution under which we have the happiness to live, because he rose to great eminence in this House, and acquired an ascendancy in the public mind not by virtue of any family connections, but solely and entirely by means of the power and vigour of his mind, that power and vigour being applied to purposes eminently advantageous to the country. Sir, Mr. Cobden's name will be for ever engraved on the most interesting pages of the history of this country; and I am sure there is not one in this House who does not feel the deepest regret that we have lost one of its brightest ornaments, and that the country has been deprived of one of her most useful servants.

Viscount Palmerston

MR. DISRAELI: Sir, having been a Member of this House when Mr. Cobden first took his seat, and having remained in the House during the whole of his lengthened career, I cannot reconcile it to myself to be silent on this occasion, when we have to deplore the loss of one so eminent, and that too in the ripeness of his manhood and the full vigour of his intellect.

Although it was the fortune of Mr. Cobden to enter public life at a time when passions ran high, and he himself by no means a man insensible to political excitement, still when the strife was over, there was soon observed in him a moderation and a tempered thought that indicated a large intellectual horizon, and the possession of statesmanlike qualities. Though formed in the tumult of popular opinions, with which he identified himself, there was in his character a vein of reverence for tradition which, even unconsciously to himself, subdued and softened the acerbity of the cruder conclusions at which he may have arrived. That in my mind is a quality which in some degree must be possessed by any one who attempts or aspires to sway this country. For, notwithstanding the rapid changes in which we live, and the numerous improvements and alterations we anticipate, this country is still Old England, and the past is one of the elements of our power.

What the qualities of Mr. Cobden were in this House all present are aware, yet, perhaps, I may be permitted to say that as a debater he had few equals. As a logician he was close and complete; adroit, acute, perhaps even subtle; yet at the same time he was gifted with such a degree of imagination that he never lost sight of the sympathies of those whom he addressed, and so, generally avoiding to drive his argument to extremity, he became as a speaker both practical and persuasive.

The noble Lord, who is far more competent than myself to deal with such subjects, has referred the House to Mr. Cobden's conduct as an administrator. It would seem that, notwithstanding the eminent position which he had achieved and occupied, and the various opportunities which offered for the exercise of that ambition which he might legitimately entertain, his life was destined to pass without his being afforded an occasion of showing that he possessed those qualities which are invaluable in council and in the management of public affairs. Still, fortunately, it happened, that before he quitted us, there came to him one of the finest opportunities that a public man could well enjoy, and it may be truly said that by the transaction of great affairs he obtained the consideration of the two leading countries of the world.

Sir, there is something mournful in the history of this Parliament, when we remember how many of our most eminent and valued public men have passed from among us. I cannot refer to the history of any other Parliament which will bear to posterity so fatal a record. But there is this consolation when we remember these unequalled and irreparable visitations—that these great men are not altogether lost to us; that their opinions will be often quoted in this House; their authority appealed to, their judgments attested; even their very words will form part of our discussions and debates. There are some Members of Parliament who, though not present in the body, are still Members of this House: independent of dissolutions, of the caprice of constituencies, even of the course of time. I think, Sir, Mr. Cobden was one of these men. I believe that when the verdict of posterity shall be recorded on his life and conduct, it will be said of him that he was, without doubt, the greatest political character the pure middle class of this country has yet produced — an ornament to the House of Commons, and an honour to England.

Mr. BRIGHT: Sir, I feel that I cannot address the House on this occasion; but every expression of sympathy which I have heard has been most grateful to my heart. But the time which has elapsed since, in my presence, the manliest and gentlest spirit that ever quitted or tenanted a human form took its flight is so short that I dare not even attempt to give utterance to the feelings by which I am oppressed. I shall leave to some calmer moment when I may have an opportunity of speaking before some portion of my countrymen, the lesson which I think may be learned from the life and character of my friend. I have only to say that after twenty years of most intimate and almost brotherly friendship with him, I little knew how much I loved him until I found that I had lost him.

THE BOARD OF ADMIRALTY.

OBSERVATIONS.

Sir MORTON PETO said, that as one who had known Mr. Cobden for seventeen years, he could not refrain from joining in the profound regret which had been expressed at the loss which the House and the country had sustained.

In calling attention to the constitution and administration of the Admiralty Board, he should bear in mind that on many occasions on the Estimates recently this subject had been discussed more or less, and therefore he should confine himself entirely to the terms of his Notice. He desired rather to place before the House the evidence of the dissatisfaction which the Board of Admiralty had given from its establishment, than to express any unsupported opinion of his own. On the recent examination of witnesses before a Commission, it would be found that almost the whole of them expressed condemnation of the Board, and even where there was approval, it proceeded from circumstances and opinions which would have elicited the strongest condemnation if the witnesses had been in possession of the real facts. His case was that there was no direct responsibility. He had only to refer to the evidence of three or four officers who had rendered eminent service in connection with our naval affairs. The opinion of Sir George Cockburn was, that the establishment at the Board of Admiralty was the most unsatisfactory and least effective for its purpose that could have been devised; and he owned himself to be the advocate for all bodies being responsible for what they did. The right hon. Baronet the Member for Droitwich (Sir John Pakington) said that the Board was a bad arrangement, and did not work favourably for the public service. He (Sir Morton Peto) therefore contended that it ought to be reformed, and that the present system should not be allowed to exist. Sir James Graham only supported the system provided the First Lord was always supreme. Sir Charles Wood was of opinion that the distribution of the business of the Admiralty had been altered at various times to fit into the peculiar competence of the Lord at the time. Mr. Goulburn, in a debate which took place in that House, said that when the head of a Board was responsible, there was a greater share of responsibility than if you threw it on the whole Board. He also said the responsibility of the Board of Admiralty was a point which never could be ascertained under the present system; that the whole thing was given up, and the Board had no direct responsibility, and it was no longer worthy of the confidence of the country. With regard to the mode in which the business was conducted, Mr. Goulburn said that the correspondence of the Admiralty might be reduced, so that one letter might be written where there were now ten. Other witnesses were equally strong in their expressions against the Board of Admiralty. The Duke of Somerset said he did not hold that a better plan could not be devised, but that a better plan had not been submitted to him for consideration. Now, he hoped that the noble Lord would give to the plan which he would that night suggest, his calm and careful consideration. Sir Richard Bromley was of opinion that only one Minister of State should be in charge of the entire naval service; that that marine Minister should hold office by patent, and rank as a Secretary of State. He further recommended that the marine Minister should have four principal assistants to advise him; two naval officers and two civilians, and that those officers should have seats n the House. They should go out with the Ministry but should not require re-election on taking office. He described also the duties to be allotted to them, that the whole machinery might be set in motion, so that there should be a corresponding action, by each acting and re-acting upon the other. He (Sir Morton Peto) had communicated with Sir Richard Bromley as to the suggestions which he was about to offer to the House, and found they had met with his entire concurrence. With respect to the Constructor of the Navy, Mr. Reed was entitled to receive at the hands of the House the fairest possible trial, and the plan he was about to propose would not trench upon that fair trial. In connection with the Constructor of the Navy there ought to be a Council of Reference, before whom all designs should be brought for consideration. This Council should not be a paid body, and should be composed of eminent men, who had an intimate acquaintance with ship-building, machinery, and engineering, and who would, therefore, be competent to give a sound and practical opinion upon all matters coming before them. In order to obtain the services of such men without any pecuniary consideration the office must be made one of honour. He knew many men who would be most valuable Members of such a Council, and who would be most ready to benefit their country by giving their services in this way. He also proposed that the Constructor should be made responsible to the Minister, and the Minister responsible to the House of Commons. The opinion of the Council of Reference was not to be in any way binding upon them. The Government would have in this Council a valuable Board of advice. and it would not trench in the slightest degree upon the responsibility of the Minister. He did not wish to interfere with the offices of the Controller of the Navy, the Constructor, or the three assistants, but he wished them to have the opportunity of consulting eminent men who had had great and varied experience, and who would be able to give very valuable advice and information. At present the Storekeeper General and the Controller of the Navy had equal power. The officer having charge of the construction of the navy should have supreme control, and the Storekeeper should be subordinate to him. He would next refer to the question of the Department of Works. The public works executed by the Admiralty at the present time were out of place as to the persons who should have the conduct of them. The Board of Admiralty had no efficient representatives who could carry out the public works of the country so far as it was concerned. The Board of Admiralty should simply define its requirements, and say what it wants, and have the works carried out by the Minister of Public Works. A Committee of the House in 1860 on the Miscellaneous Expenditure reported its opinion that all public works not already under the Department of Public Works, except those of naval and military defence, should be under that department. As to the conduct of affairs by the Admiralty, although the members of the Board might be excellent sailors, have an admirable knowledge of ships, able to give sound opinions on naval affairs, and fully competent to deal with all matters properly appertaining to a sailor's duties, they could not be said to have received such an education as qualified them for exercising an efficient superintendence over public works. In France these things were managed differently and more wisely. The Minister of Marine and the Navy Constructor had nothing to do with the superintendence of public works, excepting that they had to define that which they wanted doing, and the works were then left in competent hands. It would be well if our Board of Admiralty would take a lesson from our neighbours. With respect to public works, he would like to see the Minister of that department assisted by a council composed of men of the highest eminence as engineers or contractors, who, having ceased from active business, should be able to devote their time and experience for the benefit of the country. This council might be consulted and its opinion obtained, although that opinion need not necessarily be binding, and the result could not but be advantageous. Would any Minister have made such a mistake as was made in building the gunboat slips at Haslar if there had been a body of competent and experienced persons to advise the Minister? To take another instance of blunder, he would refer to a building — the Herbert Hospital—recently erected at Woolwich, on a slope and overlooking a cemetery. It was found necessary to place the building upon a concrete foundation. The concrete was placed upon the clay, but the drains were placed below the clay, and the consequence had been that the clay had become so saturated with moisture that one-third of the building was shored up. The Board of Admiralty were not responsible for that blunder, but there were plenty of blunders which could be attributed to them. Would Alderney Harbour have been made if there had been a competent Board of Public Works? Would four or five times the original Estimates have been expended upon Holyhead and other harbours if we had had a competent tribunal to decide upon such questions? Again, he must remark that such mistakes were not made in France. In that country the Estimates were framed with so much care, and by such competent persons, that his firm, in the execution of some of the largest public works in that country, had been content to accept the figures of the Minister, which, with all respect, he must say they could not have ventured to do in this country. Then, again, as to the management of the dockyards, there was clearly something defective. Taking Portsmouth as an instance, he found that there was an Admiral Superintendent who was appointed for five years, but as he was usually selected from names very high up in the list, the office generally became vacant in about three years. However, that officer was a naval man, quite unqualified by any previous education to undertake the management of a large establishment. If the Admiral Superintendent was absent his place was supplied by the captain of one of the ships in port, who would no doubt be a very excellent naval officer, but one of the very last persons to be intrusted with the charge of a dockyard. It must be remembered that a dockyard was nothing more or less than a large establishment in which Her Majesty's ships were built and repaired, and in which the object should be to combine the utmost efficiency with the greatest economy. Again, he must observe that the system in France was different to and an improvement upon our practice. Of course he did not mean that there should not be an admiral to take charge of the ships in port, and to superintend everything that properly fell within the sphere of a naval officer's duties, but he did not think that such an officer could be a very efficient manager of an establishment for the construction and repair of ships. It was quite certain that our dockyards would never be efficient while the present system was adhered to. He did not say that there should not be an admiral at Portsmouth, but he ought not to be made the superintendent of the public works or the constructor of ships. In France, the superintendent of the dockyard was well qualified for his post, and not removable on change of administration. The Admiral Superintendent was about as well qualified to make his own uniform as to perform the ordinary duties of the dockyard. Then, as to the cost of the superintendence of labour. He took the figures from the Estimates of 1861-2 and he found the percentage to be 13 at Deptford, 9 at Woolwich, 6 at Chatham, 9 at Sheerness, 6½ at Portsmouth, 7½ at Devonport, and 9 at Pembroke; the average being 8 per cent. He had had as much experience in public works as any man, and he declared that such a percentage of cost of superintendence was unheard of, and in the execution of works to the extent of millions in different parts of the world he had never known anything like such an amount for the cost of superintendence. The very fact of its costing so much showed that the superintendence could not be very effectual, as in the multiplication of checks all individual responsibility was lost. With respect to the system of labour in the dockyards, he approved the day system, but thought that at present there was no adequate motive for men to exert themselves. Nothing could ever be regarded as satisfactory where no motive was held out to a man to exert his energy beyond his fellow labourer, who did as little as possible beyond handling his tools. He had recently been reading a work which had afforded him some amusement—the *Biography of Samuel Bentham*, by his widow. That person made himself troublesome about naval reforms, and at last he was put upon a Board, which entirely put an end to his declaiming about the wrongs of his country. He would recommend the perusal of the work to the noble Lord the Secretary of the Admiralty. Then, as to the contract system, he understood that while two lords of the Admiralty were required to enter into a contract, one only could annul it by writing his initials. After finding so much fault with the Board of Admiralty, it was pleasant to express a word or two of approval. In 1858–60, when the right hon. Baronet opposite (Sir John Pakington) was First Lord, he, in association with Sir Richard Bromley, originated a system of accounts, which was better than any theretofore in use. The present Secretary to the Admiralty had followed that system up year after year, and now the hon. Member for Pontefract (Mr. Childers) had promised them a system of accounts. But he warned his hon. Friend that if the accounts were to be satisfactory they must show the expense of working each dockyard, the balance value of the stock in hand, the stock issue within the year, and the amount expended for labour employed. Another point to which he desired to refer was that of the great unsteadiness and uncertainty of action on the part of the Board of Admiralty. As an instance of this the hon. Baronet mentioned that in 1805 Lord Melville, acting on a letter from Lord Nelson, then Commander-in-Chief in the Mediterranean, took steps for raising the position of the medical officers of the navy, and a uniform, and other advantages, were granted, but his successor in office reversed his policy. In 1858 the right hon. Baronet opposite placed the medical officers in the navy on the same footing as those in the army; but the Duke of Somerset had reversed that policy. Until this system of direction by a Board was broken up naval affairs would never be efficiently conducted. The time was come when the question ought to be taken up. They looked to the hon. Member for Pontefract (Mr. Childers) to do much, and what ability and practical acquaintance with business details would effect he would do; but he hoped that his hon. Friend would not be drawn into that official vortex of passive inaction which had swallowed up so many talented men. If he found himself at any time placed in a position in which he could not discharge his responsibility to that House, he trusted that he would know how to resign a post which would be unworthy of a Gentleman of his high character and talents. The country had a right to expect that the governing body of the Admiralty, whatever it were called, should be placed in a position of direct responsibility towards that House which voted the money for the maintenance of the honour of the country. That was not the case at the present moment. He believed that the £58,000,000 of money which had been voted to the present Government for naval affairs had not been—if the accounts were closely analysed—properly expended, or in a manner which the House ought to be satisfied with. He would have the whole of the dockyards managed upon strictly commercial principles. Why should there be a difference between the management of the nation's establishments and those of private persons? But he believed that there would be no improvement so long as they appointed men to superintend these establishments who knew nothing about the matter. He might say frankly that he did not wish to see all the Government shipbuilding conducted by private firms. But he did want to see a fair share in private yards, in order that by means of the competition which would thence arise there might result economy in the construction of our vessels, and he did complain that the Royal Dockyards were not conducted as efficiently and economically as private establishments. The country had a right to expect that the Government would abandon the system of patronage, and that all promotion should proceed upon merit alone; but the Government were not the only parties to blame in this matter; so long as hon. Members would ask for places for their friends, the Government would not give up this patronage. He believed that this system of patronage was forced upon the Government by the House. As regarded the whole subject, it, in his opinion, demanded at the hands of the Government, an instant course of action. Things were not now as they used to be, when valour in the men and talent in the admiral were all that was looked for. Steam and scientific appliances of new kinds were now seen on every hand. He thought the Government ought not to say, "Leave the matter in our hands, and we will make all the improvements which may be necessary, and then do nothing." If the House desired that this country should be successful in future wars, the affairs of the Admiralty must be better conducted. He would call upon the noble Lord at the head of the Government, and those associated with him, to get out of this system of inaction. This subject was one which required the calm, thoughtful, and careful consideration of the noble Lord, and he hoped that he would in a new Parliament propose measures which would conduce to the welfare of the country.

Mr. BENTINCK said, he was very glad that the hon. Baronet had again brought this subject before the House. He agreed with much that had been said on the subject by the hon. Baronet, who had referred to high authorities who had expressed opinions condemnatory of the present Board of Admiralty. He might have gone further and have said that, with the exception of those who were, or had been, members of the Board, he would not have found a single sane man in the country who was satisfied with the present system. He (Mr. Bentinck) agreed with the hon. Baronet in condemning the system of having a Board of Admiralty at the head of the Naval Department of the country. The business could not be satisfactorily conducted by a Board. The first result was the entire absence of all responsibility. This alone was sufficient to constitute inefficiency. But it appeared to him that the system of such a Board as the Board of Admiralty was doubly mischievous, and for this reason—that in a Board of Admiralty, composed as it generally was, with a civilian at its head, and the two senior Naval Lords, a great part of the business must be conducted under the authority of those Naval Lords, without responsibility on their part, the responsibility remaining with the civilian. Thus there was action without responsibility, and responsibility without the power of action. Another great imperfection in the constitution of the Admiralty Board was its political character; and this necessarily led to those constant changes in the members of the Board, which entirely prevented the possibility of any continuous and well conducted system. With respect to the practice of appointing a civilian to the post of the First Lord of the Admiralty, he asked what instance could be found in any other description of business of a person being put at the head of it who could not by possibility possess any knowledge of the business with which he was called on to deal? One of the most essential improvements in the constitution of the Admiralty Board would be to place the navy under the charge of a naval officer, as the army was placed under the superintendence of a military officer. He did not agree with the hon. Baronet in thinking that the business of the dockyards could be as economically managed as the business of any private firm. In private yards there was always some person superintending who had a direct personal interest in the work that was being done. He joined in the wish expressed by the hon. Baronet, that some change would be made in the constitution of the Board of Admiralty; but he was not sanguine enough to expect its realization, and he would explain the reason why by referring to what had occurred in that House within the last few years. After a good deal of discussion a Committee was appointed by that House in 1861 to inquire into the constitution of the Board of Admiralty. Upon that Committee there were several distinguished Members of the House, who had been First Lords of the Admiralty, some others who had been Secretaries to the Admiralty, and one or two Members connected with the Government. The result was that the Committee assembled with the conclusion already arrived at that nothing could be better than the present state of things respecting which they had been directed to inquire. He had proposed the removal of some of those members, but as the House did not agree with him, the Committee met and proceeded with the business before them. He had taken his share in the labours of that Committee, and had attended its sittings for about three months. They had had long self-laudations from First Lords and former Secretaries of the Admiralty, all endeavouring to prove that, during their connection with the Admiralty, everything was done for the best. After three months, his patience being exhausted, he stated to the Committee and to the House the reason why he wished no longer to serve on that Committee, and that was that he considered it to be an absolute waste of time. He was allowed to withdraw, and the Committee sat till the end of the Session. In the following Session so unsatisfactory were its proceedings regarded, that neither the hon. Gentleman who had moved the appointment of the Committee nor the Government were prepared to move its re-appointment. He wanted to know what hope his hon. Friend had of obtaining a more practical Committee now, or what hope he had of any proposal being made to re-model the Board of Admiralty. As there was no likelihood that those in office, or those waiting for office, would diminish the political power and patronage they enjoyed, or anticipated to enjoy, the only way in which the object of the hon. Baronet could be attained, was by the action of independent Members forcing this question on the consideration of the House, and by a direct Motion calling on the House to declare whether or not the constitution of the Board of Admiralty was of a satisfactory character. Believing the present constitution of the Board of Admiralty to be the cause of inefficiency and extravagance, he thought it would be a better mode of dealing with the question to move a direct Resolution condemnatory of that constitution; and if such a Resolution were brought forward it should have his cordial support.

Mr. WHITBREAD said, that the hon. Gentleman who had just sat down had rested his charge against the Board of Admiralty on the ground that almost every man who had been connected with that Board, and who was thoroughly acquainted with its working, had given his support to the present system, while those who were unacquainted with its mode of conducting business accused it of inefficiency. But it was to be hoped that when the Resolution to which the hon. Gentleman had referred was hereafter proposed, the House would be guided by the opinions of those who were practically most conversant with the matter. The whole drift and burden of the speeches made against the constitution of the Board was "the total want of Parliamentary responsibility." What, he asked, was meant by that often repeated phrase? He had never heard any definition given of it, but he supposed that those who used it intended to imply that when the heads of a public Department did anything in the opinion of the House which was wrong, or failed to do anything which in the opinion of the House ought to be done, the House should have the power of censuring them or driving them from office. Well, he maintained that the House had at that moment full power, in either of those cases, to censure or expel the heads of the present Board of Admiralty. He did not see how they could have a more direct responsibility than that which that Board was under towards Parliament. The hon. Baronet had said that if any private undertaking conducted its business in that way it would certainly fail; but did he forget how many railways and banks were conducted by Boards, which were not a whit more responsible to their shareholders than the Board of Admiralty was to that House? That was a favourite mode of managing large commercial affairs, and yet many Boards of Directors were far less conversant with the nature of the business they had to transact than the Board of Admiralty was with its duties. If a standing Committee for this, or a standing Committee for that, were appointed, how was it to be made responsible to Parliament? It would act as a shield to the Board of Admiralty. A council of naval officers might be able to give valuable advice; but if its members were to go out of office with the Government, the faults of the present system would remain; and if they were not to be changed, the Minister of the day, when any of his measures were called in question, could easily turn round and say, "Oh, I acted under the advice of my Council." Again, one of the charges against the existing Board was that it was slow; but if they had one council to advise and another body to execute, as had been suggested, he was convinced that the evils of delay would be doubled, the cost of works largely increased, and great confusion, coupled with divided responsibility, introduced. The hon. Baronet the Member for Finsbury had said that 8 per cent was an amount of cost for superintendence such as he had never known to be called for in regard to works with which he had been connected, the expenditure on which extended to millions. But if the hon. Baronet was there referring to the construction of railways or other large works of a similar character, he was instituting a comparison between things which were really very dissimilar, for there was an enormous variety of detail and of different manufactures incident to the operations in the Royal dockyards, which placed them in a separate category from the undertakings which the hon. Baronet had in his mind. What they ought to aim at was to arrive at such a balance between the work done in private yards and the work done under the Government, that the one should act as a check upon the other in regard to cost and time of execution. Wherever they could buy the articles they required, and could make sure of having the market always open to them, it was unnecessary for the Government to manufacture them for themselves. He thought articles not of vital importance might be got in the market cheaper and in the quantities wanted, and in this way many of the articles now manufactured might advantageously be struck off the list. He thought the question of the superintendence of dockyards was a point of considerable importance, and the hon. Baronet (Sir Morton Peto) had stated that it was impossible to get the dockyards properly superintended so long as a man was appointed for only five years, and removed whenever he was promoted. He agreed with the hon. Member to a considerable extent in that opinion. He considered it desirable that the superintendent of the dockyards should be a naval man, but he never could see any reason for withdrawing him at the end of five years, or when he got promotion. He thought it would be a beneficial reform if the Admiralty would employ these officers for three years, and renew the term of office if their services should be found efficient. With respect to the Board of Admiralty, it had this great recommendation, that whatever came into the office went directly to the heads of the Department. He knew no machinery better adapted for administering the navy; and as to any more direct responsibility, he could not see it.

Mr. H. ROBERTSON said, there was one department of the Admiralty to which he had turned his attention—namely, that of the Director of Public Works, and by way of illustration he would mention two important public works respecting which there were not two opinions both as to their necessity and the advantage both as regarded the efficiency of the navy and in an economical point of view of executing them rapidly; he meant the contemplated improvements in Portsmouth Dockyard, and that at Malta. There was a great want of efficiency in that department. With regard to Portsmouth, on the 18th of February in last year a plan was produced for the extension of the dockyard at that place, bearing the signature of the Director of Public Works, but anything more ridiculous he had never seen or less fitted for the object in view. In the last Estimates there was an item of £7,000, and in answer to an inquiry whether that item had reference to that large plan, he was informed that it was to be applied to the purchase of some property that was required to test the scheme, while the works were likely to cost between £3,000,000 and £4,000,000. Up to the present time nothing had been done towards rendering the dockyard more efficient. A Committee had been appointed to inquire into the subject, but everyone seemed to ignore the plan. They were now asked to vote £20,000 towards carrying out that large plan. Although the improvement was admitted to be necessary, and the House was prepared to vote the amount required, it seemed that not more than £20,000 could be spent during the first year, showing that they had not got the right Director of Works. The case would not bear argument, and all he would say upon the matter was that it was simply too bad. It was said that a model was necessary. Now, a model was a very pretty thing, but it was a mere plaything. A plan was far better, when a proposition was made for expending a large sum of money. Who was now the Director of Public Works? Major Clarke was a man of talent and experienced in his own line, and no doubt he had superintended some railway works in Victoria; but he thought a man of the highest eminence was required to design and construct important works such as that to which he had referred. There were four or five engineers of experience in Great George Street, who could give the Admiralty a design in six weeks, why had one of these gentlemen not been selected for this work? There were very able men in the Royal Engineers, but the corps of Engineers was a limited field, and he was of opinion that the public service would obtain a great advantage from a competition open to the profession of Civil Engineers. If the choice were limited to such a narrow field it was impossible to obtain men properly qualified to spend the money in a proper manner. In that department of the Admiralty there was a manifest defect so far as regarded the dockyard at Portsmouth, and the same remark applied to the works at Malta. He had known Boards of Directors amusing themselves with *dilettante* engineering, and he supposed something of the same kind was going on at the Admiralty. He trusted that before the Admiralty spent this large sum of money they would take the opinions of some engineers of experience, and having selected the best plans, then to select the best men to carry them out.

Lord CLARENCE PAGET: I am bound to say that of the tone and temper of the hon. Gentlemen who desire to criticize the constitution of the Board of Admiralty I have no right to complain. I have rather to thank them for the valuable suggestions which they have made with respect to various matters. I think, however, that my hon. Friend the Member for Finsbury, in making the wholesale charges he has made regarding the responsibility of those who are at the head of the Admiralty, would have done well to take into consideration the opinions of those who held the post of First Lord. Sir James Graham when examined before the Committee on the Admiralty of 1861 deliberately told them that the First Lord was fully responsible for the duties of the Admiralty. I think he mentioned on that occasion that he gave his evidence most disinterestedly, because he never expected to hold the office of First Lord again. I submit, therefore, that the opinion so given by Sir James Graham is one to which my hon. Friend was bound to give every attention. If he (Sir Morton Peto) did not quote to-night, he quoted on a former occasion some evidence which Sir James Graham once gave to the effect that in order to make the Board of Admiralty work efficiently it should be made as unlike a Board as possible. But it is only fair to notice the evidence subsequently given on the same subject by the same distinguished man. No doubt Sir James Graham did once express that opinion, but he afterwards, before another Committee, stated that having given the subject his most careful consideration, he had seen reason to change it. He was asked by the Chairman—

> "Do you think, taking the whole administration of the army and navy, that the First Lord is more or less responsible for the whole conduct of the Navy than the Secretary for War is responsible for the conduct of the army?"

Sir James Graham replied—

> "I look upon the First Lord of the Admiralty to stand in regard to the public, so far as relates to responsibility, in the same relation as the Secretary for War. But until recent changes in regard to the War Department the First Lord was infinitely more responsible."

The Duke of Somerset when asked—

> "Do you consider yourself entirely responsible for the administration of the Navy?"

Replied—

> "Yes, I consider the First Lord is responsible for the whole administration of the Navy."

The Duke of Somerset gave his evidence after he had been two years in his present office, and if any persons be justified in complaining that the First Lord is not in a position to carry out his views they must be those who have themselves filled the office. The right hon. Member for Halifax (Sir Charles Wood) in his evidence told the Committee that various changes had been made from time to time to meet an altered state of things, and, as showing that there is no feeling in the Department against introducing improvements, I may refer to a recent order issued by the Duke of Somerset. This order states that no question of general policy and no expenditure of money shall be undertaken by any of the branches of the establishment without its coming under the cognizance of those who represent the Admiralty in the House of Commons. Going over the various proposals which have been made for the reconstruction of the Admiralty, I am not prepared to say that if we had now to construct the Department I, for one, should be an advocate for having it in the shape of a Board. I quite admit that there are certain disadvantages in having it in that shape; but there are advantages also. Every project submitted to the Admiralty is at once brought under the notice of a Board. A Board meets every day except Saturday, and in this way delay is avoided in the arrangements connected with the active service of the navy. If it was found necessary for example to commission a ship or send out a squadron the matter was brought immediately before the Board, and the various necessary orders were at once issued. With regard to the suggestion that the Admiralty should seek the advice of eminent private persons either in the construction of ships or of docks and basins, I think undoubtedly there is great force in that. I, for one, have always been of opinion that there are many advantages in obtaining certain external advice before entering upon the construction of great ships or of expensive public works. The question of the construction of ships was brought before the Duke of Somerset, and he expressed his opinion upon it when being examined before a Royal Commission on the Dockyards. In reply to a question asked by Lord Gifford, the Duke of Somerset said he had known alterations suggested in the construction of large ships, but they were not brought before the Admiralty scientific men unconnected with the Department. Lord Gifford said the French Admiralty had a council or committee of reference. The Duke of Somerset, in reply to that, remarked that the Admiralty of this country had at one time a council, of which he believed the late Lord John Hay was a member, but it was not found to work well. There were so many checks and so little agreement that the progress of the works was stopped, and it was found necessary to make an alteration. He added that whether any other council could be introduced was a very important question. It would be very desirable if it could, but it was a very difficult matter to decide. With regard to vessels of war, if you bring in men who are not accustomed to that particular style of shipbuilding they will have to learn their business before their opinion will be worth much. "I see (said the Duke) the desirability of having a Committee, but I also see very great difficulty in the way." And there indeed lies the whole difficulty. It would be of very great advantage to us before constructing such a a ship as the *Minotaur* if we could get any scientific gentleman to assist us, but the fact is that it is only within the Department of the Admiralty that there is sufficient knowledge to give a good opinion on questions of this sort. We do not depend upon ourselves in the construction of large and costly transports, but call upon eminent shipbuilders to furnish their own drawings; but in building vessels of war, as the Duke of Somerset said, it is a peculiar business, which mercantile ship-builders could not give so sound an opinion upon as the officers of the Admiralty. With reference to other public works, such as the construction of docks and basins, it would doubtless, as the hon. Member for Shrewsbury (Mr. Robertson) says, be a great advantage if we had some persons in the service of the Admiralty who had great experience in such works. The present Director of Works, however, has carried out great works in one of our colonies; but I do not know that he has had that particular experience in the construction of basins which it has been said is desirable. The House must remember that it is not solely in the construction of basins that our Director of Works is engaged. We have barracks to construct, and warehouses and various kinds of buildings to erect, and it is therefore impossible to combine in any one individual all the requisite qualifications. I will tell the House what we have done with regard to the works at Portsmouth. We laid preliminary plans upon the table of the House last year, and the reason why we did so was that the House might obtain a general idea of the proposal which we meant to carry out, the locality and other general information, and I stated at the time that there would be full and detailed plans laid before the House before the whole work was commenced. I only asked then for a small Vote of £7,000 in order to take certain lands and make certain preparations before bringing in the more detailed plan this year for the consideration of the House. An hon. Member (Mr. Robertson) seems to think that we have instructed the Director of Works alone to prepare these plans; but, on the contrary, we have a Committee composed of our best officers connected with the docks, who have had various plans put before them which they have been invited to criticize, and after their united recommendations in favour of one plan we have adopted that plan, and these are the men who, after all, you have to look to for a good opinion on these subjects. The construction of a basin is not more an engineering than a naval question. I hold that it is our naval men who can give you the most practical opinion as to what is the best position for a basin, and the best place to put the entrance gates with the view of getting ships in at certain times, and many other details which are eminently naval in their character. The hon. Baronet (Sir Morton Peto) proposes that the construction of docks and other works should be under a distinct Department of the State. That would be a very convenient course for us, and it would relieve me from a great deal of discussion in this House; but I think the House would not be quite satisfied with the representative of such a Department of works defending the form of a dock or basin. I think it is essentially an Admiralty question, and if you take away the responsibility of that Department and confer it upon another Board I think in the result it will not be found to promote efficiency in the public works. There is another important question which has been raised by the hon. Baronet with regard to the superintendence of Her Majesty's dockyards. No doubt, there are many arguments in favour of appointing scientific civilians to these offices, and there are branches of the business of the dockyards which could be performed by such persons, but I have often stated to this House, and I repeat it, that the business of the dockyard is not confined to shipbuilding. I believe I may say that building forms the smallest portion of the business. There are the numerous details which sailors can alone criticize and determine upon. There are, for instance, the fitting, the rig, the armament, and the stowage of the ships, which sailors alone can deal with. Moreover, if you were to put your dockyards into the hands of a civilian, you would have the captains coming in wanting their ships altered and fitted, and it is well known captains ask for a great many little things which it would be extravagance to grant, and which a civilian would grant, because it is only a superior naval officer that can decide what is really necessary to be done to the ship. There would, therefore, be a great extra expenditurg entailed. The hon. Member for Bedford (Mr. Whitbread) objects to the removal of the Captain Superintendent every five years, and my own belief is, that if you take the advantages on the one hand and the disadvantages on the other, it is better that this officer should be removable after a certain period. It may be advantageous to put a man into any position for life, without the power of removal, but I think the greater advantages are in favour of removing periodically. With regard to the cost of the superintendence of our dockyards, there is no doubt that in comparison with private establishments it would not stand in a favourable light. The case of the private ship yards is not always analogous to that of our dockyards. Some of our shipbuilders are also shipowners, and their case is more nearly alike to our dockyards, so that some comparison can be drawn. A shipowner, however, sends his ship abroad in a foreign trade; she returns at a certain period and takes her proper turn to be docked and refitted. But the business of the dockyards are so multifarious—ships are always coming in for repairs on account of disasters or other causes, for alteration of armament and various other reasons—that it is absolutely necessary to have a much larger staff of superintendence than is required in private yards; and it is an undoubted fact that men who are working for the public do require a larger amount of superintendence than persons who are employed in private establishments. But I also believe that the excellence of the work done in the dockyards counterbalances the additional cost of a closer and more extensive system of superintendence. But let me tell my hon. Friend that in making this comparison and in making out this large percentage he has included many expenses which do not exist in private yards. As an instance, I may mention that he has included all the medical superintendence—an item which is not to be found in the expenditure of private yards, and I have no doubt there are many other items which must be omitted to make the comparison at all a fair one. But what I do most strongly disapprove is the tone in which the hon. Baronet referred to the patronage and promotions of the Duke of Somerset. I would challenge the hon. Member or any hon. Gentleman, to show me any case in which the Duke of Somerset has promoted any officer either in the dockyards or out of them from motives of favouritism. Such a charge ought to be proved, and when it is made against a great officer of State those who made it should be prepared to give the facts. I challenge the hon. Baronet to bring forward any case in which the Duke of Somerset has promoted or appointed any officer upon any other principle than the good of the public service. As to the charges which the hon. Baronet has made of the present Board of Admiralty upsetting what had been done by its precedessors, that is entirely without foundation. The story is that the right hon. Gentleman opposite (Sir John Pakington) greatly improved the pecuniary and social condition of a very deserving class of officers—the medical officers of the navy. These officers—and I do not blame them,—considered that the additional rank given to them was to be equivalent to the military rank, and that by it they had obtained a right to assume a superior position to officers of the Executive branch of junior standing. On shore there is no great difficulty, but on board ship it is impossible to allow any assumption of rank by a civilian over an Executive officer. I regret that some of the surgeons—the great majority of medical officers, I am bound to say, thoroughly understand their position—but some few did raise difficulties which rendered it necessary that the distinction between civil and military rank should be precisely defined. I believe if the right hon. Baronet had remained at the Admiralty, he would himself have had to do the same as we did. Well, then, as to the oft-repeated assertions of my hon. Friend, that it is absolutely necessary to change the constitution of the Board of Admiralty. Nothing is so easy as to attack a great Department, to attribute to it all sorts of faults, and to criticize all its acts, but I have failed to hear from the hon. Baronet any proposition of a practical nature. We gave the fullest consideration to the recommendations of the Committee of 1861. I believe, notwithstanding what the hon. Member for Norfolk (Mr. Bentinck) says, that every hon. Member who sat upon that Committee performed his duties with a sincere desire to ascertain what would most conduce to the efficiency of the Department upon which the existence of the country mainly depends. If any new system could be devised which would improve the navy, if it could be shown that any steps could be taken to improve the administration, then we should have something to go upon ; but my hon. Friend has mentioned specially only the cost of superintendence in the dockyards as being too high. But that might be the case if you had a Secretary of State for the Navy. I think it would be wiser to allow the Minister of the day to make such alterations as he finds to be necessary, as I have stated the Duke of Somerset has done, than to raise annual discussions in this House upon general charges against the Department which do not I am bound to say in any way contribute to the efficiency of the navy.

Sir MORTON PETO said, he desired to explain that he had not intended to impute any blame to the Duke of Somerset, but rather to cast blame upon the House for what was notorious. He had heard the noble Lord himself regret that influence of a particular kind was brought to bear upon the Admiralty upon certain occasions.

Sir JOHN PAKINGTON: As the hon. Member for Finsbury had not concluded his speech with any Motion, I should not have troubled the House had it not been that he has referred to the evidence which I gave before the Committee of 1861. I must say that I know no reason for receding from the evidence I then gave. That evidence certainly was not favourable to the present constitution of the Board of Admiralty as being the best mode in which the administration of the great Department of the navy could be efficiently worked. I gave that reluctantly, as I was following three or four witnesses who then held, or had held, the office of First Lord of the Admiralty for a longer period than it was my good fortune to do, and they all gave evidence in an opposite direction to that which I felt it was my duty to give. My reasons for giving that evidence, however, were not those which have been assigned by the hon. Member for Norfolk (Mr. Bentinck)—the extreme impolicy of having a civilian at the head of the Admiralty. When I hear the hon. Member for Norfolk repeating those opinions I cannot help wishing it were possible that he could change places with the Duke of Somerset for a short time. If the hon. Member were at the head of the Admiralty for a few months, I do not think he would afterwards insist upon the impossibility of managing the navy with a civilian at the head of the Board. My hon. Friend talks as though the Admiralty had nothing to do but to judge of the height of masts, the length of yards, the best form of anchors, and such questions of detail of which professional men would be undoubtedly the best judges. He seems to be quite unconscious of the fact that a very large proportion—the most important proportion—of the business to be transacted is really business which has nothing to do with professional knowledge, and of which a civilian is as capable of judging as a professional officer. I do not mean to deny that it is an open question whether there are not grounds upon which it would be desirable to have a naval officer at the head of the Admiralty, but I think it would be impossible for this House to take a more unwise step than to lay down as an indispensable condition that the head of the Admiralty should always be a naval officer. I must say that I do not believe that in the Minister at the head of the Board of Admiralty there is that sense of full, concentrated, and personal responsibility which the head of a great Department ought to feel. It is asked how could there be greater responsibility, and is there not a power to set anything right which is found wrong at the Board of Admiralty? My own experience at the Board was, I admit, short ; but I cannot accept this answer. I do not think there exists that amount of responsibility which ought to exist. There is not the necessary degree of responsibility for things which are done ; still less is there responsibility for things which are omitted. Looking at the extreme importance of the Board I think there could be a better constitution of the Board than at present exists. My noble Friend opposite (Lord

Clarence Paget) has naturally adverted to opinions the weight of which must be admitted—I allude to the evidence of Sir James Graham ; but I do not think he gave quite an accurate description of the evidence which Sir James Graham gave. Sir James Graham did not recommend that there should be a change in the constitution of the Board. The ground on which he rested that opinion was a thoroughly constitutional one, but I think he pressed the reason he gave further than it would bear. On the other hand, we must remember that important opinion of Sir James Graham, that the only way to work a Board was to make it as unlike a Board as possible. Sir James Graham, too, a few years, ago was Chairman of a Committee which sat to inquire into the new system of administering the army, and if hon. Members will turn to the Report of that Committee they will find in it a warning to avoid adopting for the army the system which was in force for governing the navy. Notwithstanding, therefore, the general complexion of the evidence which Sir James Graham gave before that Committee, I venture to think that his opinion of the Admiralty as a machine for administering the navy differs little from that which I have expressed myself. There are, moreover, things in the present condition of our navy which entitle me to say that I am not satisfied with the present construction of the Board of Admiralty. In recent debates I have twice alluded to rumours which I had heard as to the conduct of the Admiralty with reference to our fleet and armour covered ships, which certainly, if true, amounted to one of the most flagrant instances of indiscretion and mal-administration that ever I heard of. They were to the effect that at the commencement of a great critical experiment, involving important changes in the construction of our navy, the Board of Admiralty took upon themselves entirely to disregard the opinions of the eminent scientific authorities whose assistance they had at hand, and built ships on their own opinions and in a manner which in the event of war we should have reason deeply to deplore. The noble Lord has never contradicted the statement I then made, and I venture to say now, that if there had been at the head of the Admiralty a Minister acting under a sense of concentrated personal responsibility he never would have dared to commit such an indiscretion. I am bound to admit that it is one thing to find fault and another to re-organize a Department. When I for a short time was Secretary for the Colonies I was also Secretary for War. I said then, both in public and private, that though the thing might do for peace it would break down directly in war. War did come, and the system broke down at once, and the Government, in the face of actual war, had to undertake the task of reorganizing the Department. Even now I believe the re-organization of the War Office is not finally settled. But though the Board of Admiralty is not all that I should like to see it, I cannot give my support by any means to some of the suggestions of the hon. Baronet opposite. If I understood him rightly, he proposed that the head of the Admiralty should have an unpaid council to assist him in shipbuilding, and another unpaid council to assist him in the construction of public works. I quite acknowledge the weight which is due to the opinion of a practical man like the hon. Baronet on a matter of this kind, but my impression is that if the head of the Admiralty were to attempt to manage the navy with amateur councils like those referred to he has described, then he would very soon find himself obliged to look out for an opportunity of getting rid of such Colleagues. There is no doubt that changes may be advantageously made in the present construction of the Board of Admiralty, and I do not think it would be impracticable, still less impossible, for the Government to make them. This is one of the questions which give rise to a great deal of dissatisfaction out of doors. There is a general feeling out of doors that the Board of Admiralty is not the best machine for managing the affairs of the navy, my short experience as First Lord inclines me to adopt the same conclusion ; and a matter of this sort is certainly well worthy the consideration of the Government and of Parliament.

Sir JAMES ELPHINSTONE said, though he could not agree with him in all respects, he thought the House ought to be greatly obliged to the hon. Baronet (Sir Morton Peto) for giving it an opportunity of again recording its dissatisfaction with the present constitution of the Admiralty. The noble Lord had quoted Sir James Graham, as usual, but, as a sailor, he (Sir James Elphinstone) had always contended that Sir James Graham's administration of the navy was more disastrous than any operations of the French. He came into office, never having held any office before. He was a man of great ability and energy. He worked his Board as if it were not a Board. He destroyed the Naval College, the Transport Board, the Marine Artillery, the Navy Board, and the College of Naval Architecture, and he built a class of the most expensive and unmanageable ships that ever were in the navy. During the Crimean war he sent a fleet to the Baltic without a single light-draught vessel in it, and the war was in consequence prolonged much beyond what it otherwise would have been. And what was the Admiralty Administration at the present day? When screw ships were adopted by the merchant service and ships were lengthened, the Admiralty lagged behind, and when iron ships were built by the Emperor of the French, our Admiralty built them in a square form, and they did not reach Sebastopol, where they were destined, until after the place had been conquered. With respect to our fleet, the right hon. Baronet (Sir John Pakington) when at the head of the Board had adopted the right course in assembling the School of Naval Architects, and, under their advice, in constructing four iron-clad ships which were practically the only four seaworthy ships in the possession of the Government at this day. The rest of the iron-clad ships were entirely harbour ships. But what was the subsequent policy of the Admiralty? By the most contumaceous and insulting means to supersede the Board of Naval Architects, and substitute a man who had never drawn a line of a ship, and whose first production in ship construction was a most miserable abortion. What was the consequence? It was this—that those four ships were the only iron-clads that could be trusted at sea, while the iron-clad ships constructed by the successor of the able and scientific men he had alluded to were not seaworthy. Judging from these fruits, he came to the conclusion that the Admiralty tree was rotten. Again, as soon as it was decided that iron ships were to form the armament of this country, it was absolutely necessary that there should be docks abroad for the purpose of receiving and cleaning them. The Admiralty sent out an officer to report as to docks in the Mediterranean. They begun them at Malta, where some £50,000 or £60,000 were expended in the most disgraceful manner, the proposed docks being commenced at a point where they would be the least serviceable. At last the Duke of Somerset went to the spot and perceived that the Board of Admiralty were wrong; but what had the noble Duke done to the officer who led him into the scrape? Why, that officer was made a Grand Cross of the Bath, though he had never seen a shot fired in his life. By a very small amount of expenditure, Halifax, on the other side of the Atlantic, was capable of being converted into a position where ships of the largest class might be put into dry dock, but not one shilling for this purpose was asked for in the Navy Estimates for a graving dock there. The Admiralty had sent an officer to report as to a dock at Bermuda, but not a shilling was asked in the Estimates on account of such dock. What had occurred with reference to the new principle, which was brought to a most wonderful state of perfection by Captain Coles? The *Royal Sovereign* was put in commission by one of the best officers in the service, and the guns were fired to the admiration of the whole squadron. That ship was put out of commission to make good some trifling defects which did not amount to half the defects observable in the *Prince Consort*, which was kept in commission; the reason being that Captain Coles was not backed up by the power of the Admiralty. He now wished to make some remarks on the victualling of the navy, the present system being, in his opinion, most improper. The men had not enough to eat. The quantity might be sufficient to maintain life, but it was infinitely inferior to the food given to convicts, and it was given out at such lengthened intervals that the men suffered in health from that cause as well. They dined at twelve o'clock, had tea and biscuit at five o'clock, and then they had nothing till six or seven o'clock next morning. The old men whose stomachs were pretty well toned down by tobacco, did not feel the craving of hunger so much; and the young men, in order to get rid of a feeling which was actually painful to them, took to chewing tobacco. By the scantiness of their diet, and the injudicious mode in which it was administered, they struck off ten years from the age of their seamen. The food was virtually insufficient for the young men especially, and led them to contract that most pernicious of all habits, the chewing of tobacco, which injured their health more rapidly than anything else. He was glad to see the Secretary of State for India in his place, because he wished to ask him why the taxpayers of England had to provide naval defence for India, and why he did not raise the pay of those who protected a race of people to whom our rule had brought greater blessings than to any other race on earth. The people of India had been ground down and oppressed by their own princes, but now they were in the enjoyment of protection to life and property, and many of them had grown so rich that they were putting silver tiles on their verandahs. Why, then, was this country to find naval defence for such a community without receiving any subsidy for that service? He must now advert to the grievances of various classes of naval officers. The emoluments of the superintendents at Woolwich and Chatham were insufficient to enable them to meet the expenses to which they were put by their official position. His noble Friend (Lord Clarence Paget) seemed to think they had been included in the rise of pay granted last year to certain officers, but that was not so. Then, again, as regarded lieutenants, their grievances were very strong, and in reference to them he might notice the death of the Rev. Mr. Harvey, who had devoted his life to improving the condition of naval officers, and who had produced a work on the state of the navy, which he (Sir James Elphinstone) would recommend to the consideration of the Lords of the Admiralty. The noble Lord would find that there were officers in the navy who had been serving fifteen or sixteen years without leave of absence, but the moment a naval officer went on leave he was put on half-pay. Lieutenants now were allowed three weeks and had half-pay, while military men had three months and full pay, and civil servants had six weeks and all their Sundays. He asked that they should have three months' leave of absence at the end of each commission upon full pay, and that those of their number who were on home stations should, instead of three weeks' leave in the year, have six weeks on full pay, like the Civil Service. A grade of first-class warrant officers had lately been created, but it had been extended to so few—those few being men whose acceptance of it would not tend to increase the Estimates—that it had been practically inoperative as regarded the service. The widows of warrant officers had been very cruelly treated. Some thirty years ago Sir James Graham abolished their pensions, on the plea that increased pay had been allowed to warrant officers for insuring their lives. That was a mean and paltry plea, because the increased pay was miserably inadequate for any such purpose; and, moreover, it was not easy to get any insurance office to insure the lives of men employed on the coast of Africa or in China. There were now thirty-seven of these widows who had been reduced to extreme poverty by the arbitrary withdrawal of their pensions; and all that was required from the Government to bring some of them out of the workhouse, and to enable the rest to keep out of it, was only £800 a year. This subject had been referred to on a former evening, and he was now authorized to say that these poor women did not ask for payment of the arrears to which they were justly entitled; they would be satisfied with the restoration of their yearly pensions. He hoped this righteous demand would be complied with by the Board. With respect to the docks at Portsmouth, no doubt certain officers had been consulted, as the noble Lord had told them. Where public offices were to be erected for the accommodation chiefly of the clerks of any Department, the plans of our public buildings were thrown open to competition; and how much more was it necessary in connection with the proposed works at Portsmouth, to invoke the genius which had constructed the great works at Liverpool, Grimsby, Leith, and Aberdeen, in comparison with which no docks belonging to Her Majesty, were worthy to be mentioned on the same day. It was plans of that description that ought to be considered by the Committee. At present they knew nothing further than that the noble Lord told them that plans had been submitted. In the matter of so great a national undertaking it was incumbent on the Government to bring to bear the whole science and ability of the country before finally deciding on the details of the plan to be adopted. Secretaries to the Admiralty had put down works in Portsmouth Dockyard which were most objectionable. Sir Henry Ward, for instance, who had been a most excellent Governor of Ceylon, when Secretary to the Admiralty, had placed the workshops in a most inconvenient situation, and destroyed the best site in all the dockyards of England, for building slips and graving docks; and they would have something of the same kind again unless these plans were most carefully looked into.

MR. SEELY said, that his hon. Friend

the Member for Pontefract (Mr. Childers) had agreed that the statements he made on a former occasion, instead of being debateable, were now to be admitted as facts. It would be recollected that his hon. Friend had denied some of his statements, and he immediately offered to meet him at Somerset House to endeavour to ascertain which of them was correct. His hon. Friend, with that desire to promote the public service which he had always shown in that House, and with that frankness of character which belonged to him, at once accepted the offer. A few weeks ago they met at Somerset House, and he would briefly state the results of the interview. On a former occasion he said that in the four years from 1860 to 1864, there was a sum of £2,262,281 not accounted for. He now found there were certain items not put into the Admiralty accounts for which they claimed credit, amounting to £388,075, which had to be deducted from £2,262,281, leaving a balance of £1,870,000 not accounted for in these four years. His hon. Friend's solution of this deficiency was that a considerable portion of it had gone to stock in the purchase of naval stores. He had then called his attention to the £1,500,000 unaccounted for between 1848 and 1858, but this also was said to have gone in the increase of naval stores. This made, from 1848 to 1864, an amount of £3,370,000 which was unaccounted for. His hon. Friend said that the amount of naval stores at the present time was about £5,000,000, and he now put it to him if he would assert his belief that in the year 1848 the amount of naval stores in all the dockyards was only £1,630,000. If he would not assert that, he must make to the House what other explanation he thought fit. With reference to the amount of stock in 1848, he believed there were 86,507 loads of timber (the main item of stock), and now he fancied there were only 112,000 loads. The difference between 1848 and the present time was only 25,493 loads, which at £8 per load, the average value, came to £203,944. That seemed to account for a very small portion of the deficiency. But there was another matter to which he must call the attention of his hon. Friend. He found on the examination of the accounts that from the year 1859-60 to 1863-4 there was voted under Vote No. 10 (for the purchase of ships), £2,619,644, and there had been expended £3,670,980. In those years, therefore, there was £1,051,336 more voted for ships than the amount actually expended on them; taking that sum with the sum of £339,328—which was expended for stores but not voted that year—it appeared that there was about £1,390,604 more expended on stores than had been voted for them. If these figures were correct, the farce of going through those Estimates had better be dropped; the House had better give the Board of Admiralty power to spend money for whatever purposes they might think fit to disburse it. He had further stated that to the sum for repairing and building ships in the four years he had mentioned—namely, from 1860 to 1864—there ought to be added £1,560,000. He would not trouble the House by going through the details by which he arrived at that conclusion, but he assumed that they were correct. They had been admitted to be correct by his hon. Friend with the exception of an item of £287,948 for pensions to artificers, which his hon. Friend thought ought not to be included in the cost of building and repairing ships. In 1860-1 the total expenditure in building, repairing, and purchasing of ships was £4,017,780. But ships and engines were bought, of the value of £1,273,000, so that only £2,744,780 was left for the building and repairing of ships; £390,000 (the fourth of £1,560,000) added to that would be about one-seventh of £2,744,780, and it would be an addition of one-fifth other years. He mentioned this in order to show the effect it had upon another statement made by him as to the cost of repairing certain vessels. His hon. Friend admitted that he (Mr. Seely) was correct with regard to the amount expended in repairing the *Falcon*, but he had to add to that expense one-fifth, so that in 1858-9 the *Falcon* cost £13,491 in repairs, and in 1863-4, £31,970—a total of £45,461. Taking the highest testimony on this subject—namely, that of his hon. Friend the Member for Birkenhead—£35 per ton was the value of a new vessel, and £55 per horse-power, which would give a sum of £31,768 for her purchase. But she had cost more than that even in two years for repairs—namely £45,461. Moreover, her speed was only eight miles an hour, and as her armament was only twelve 32-pounders, four 20-pounder Armstrongs, and one 40-pounder pivot gun, it was manifest that she could neither fight nor run away. Then there was the *Wasp*, in two years, 1861-2 and 1863-4, she would cost for repairs £48,097, and at £35 per ton she should have cost new £39,000. The *Lyra*, in the year 1863–4, cost for repairs £21,183; new, she should cost £20,380. And in round numbers the *Sharpshooter* cost for repairs in two years £28,000, and was worth £22,000; the *Salamander* £43,000, and was worth £39,000. He asked who was responsible for those repairs? There were several other somewhat similar cases, but he would not weary the House by going through all his figures in detail, but hand them to his hon. Friend if he desired it. He thought it of the last importance that the accounts of the Admiralty should be correct. The late Sir James Graham stated on one occasion that an account misrepresenting the facts was infinitely worse than no account at all. The conversion of the timber was another question between him and his hon. Friend. He had stated that there was a difference between the actual cost of conversion and the rate-book prices of somewhere about £35,000, and his hon. Friend told the House that the rate-book was about being revised, and in another year would be made to represent the actual cost price. He thought there was no actual necessity for altering the rate-book prices; it would be better to look to the mode of conversion. He thought the excess of waste was greater than it should be, and in that opinion he was borne out by the evidence of Llewellyn, a dockyard official, given before the Commissioners of 1861. On 180 feet of rough timber there should not, even according to this evidence, be more than 60 feet of waste; and Mr. Llewellyn gives a table of the actual waste on the various sorts of timber at Devonport Dockyard from 1850 to 1854. In 1862-3 there were 222,673 cubic feet of wood wasted over and above Llewellyn's Devonport rate of waste in 1850 to 1854, occasioning a loss of £37,760; that was, deducting from the value of the timber the amount for which the waste sold. He was quite aware that the House would be told, and he hoped with truth, that these accounts would next year be put into better form. That statement, however, had been made again and again from the commencement of the present century. He found on reference that attention had been called to dockyard mis-management as early as 1796. He believed, however, that the present mode of superintendence in Government dockyards was likely to lead to the results of which they had complained. In the ordinary business of life the services of responsible and competent men were secured, and on proof of incompetency the men were discharged; but the expenditure of £4,000,000 for the purposes of building and repairing our ships was intrusted to superintendents placed at the head of the dockyards, who, according to the acknowledgment of the Duke of Somerset himself, were totally unacquainted with the details of shipbuilding, and who were removed every five years. In the army some sort of examination was required, and commissions were even occasionally given to those who distinguished themselves. But for these appointments no examination was necessary. The noble Lord had said that there were many things connected with dockyards which a civilian could not understand, but the noble Lord must also admit that there were many things which naval men could not understand; and he believed that if men practically acquainted with shipbuilding were appointed to the management of the dockyards the result would be a great economy to the nation. It was well known, too, that there was a good deal of jealousy between the different departments. As an instance of this feeling he might mention a circumstance which happened to a friend of his. The Admiralty sent down an officer from Woolwich to view his friend's works. The officer was very much pleased with one portion of the machinery, and promised to recommend it to the Government for adoption; but his friend on going to Woolwich some short time afterwards not only saw machinery there similar to his own, but absolutely combined with greater improvements. On informing the officer of the fact he was told that the machinery which he had seen at Woolwich belonged to the Arsenal, which was a department with which the officer had no connection. The selection of practical men would secure also the purchase of the best and cheapest machinery, and a great saving would thus accrue to the nation. The change was but a small one, and might be easily effected. It appeared to him that facts, theories, and authority were alike against the present system. The Admiralty would certainly never manage the dockyard business of the country cheaply until they placed at the head of their management men who were thoroughly acquainted with the value and the practical nature of the work which they were appointed to superintend.

SIR FREDERIC SMITH said, he should not have arisen but to reply to what had been said with reference to Captain Clarke, the officer who was appointed to conduct the Admiralty engineering works. If the Admiralty had asked any officer in the service whom he would recommend for the appointment, all the elder officers of the corps of Royal Engineers would have recommended that officer, who was one of the most able and intelligent in that branch of the service. The hon. Member for Shrewsbury (Mr. Robertson) had stated that the field of selection was a very narrow one; but when made out of hundreds it could not be very fairly considered narrow. He thought, in fact, that the Board of Admiralty, in making that appointment, had done honour to themselves. It had been stated, as a blot in the system, that the captain superintendents were not mechanics nor acquainted with engineering. But had any one ever known an inefficient captain superintendent? He could not understand why it was thought necessary by some hon. Members that the captain superintendent should be acquainted with the details of every branch in the several departments under his control. The hon. Member for Lincoln (Mr. Seely) had stated that the master shipwrights, the engineers, the master ropemakers, and other heads of the respective branches, were all efficient. Well, it was a fact that none of them were inefficient. But was any one of them more qualified than the superintendent to conduct any other branch than his own? What was wanted at the head of the yard was a man of judgment, a man of experience in the naval profession, a man of industry, a man of temper. He had to deal with a variety of circumstances. Place a civilian, however well acquainted with mechanics and engineering or shipbuilding works at the head of the dockyard, and he came into conflict almost immediately with the officer of a ship coming in for repairs. Who was to judge of the necessity of repairs? A report was first sent in to the superintendent of the yard; and then the vessel was visited by the head of each branch, the foreman of shipwrights, the carpenter, the engineer, the caulker, the ropemaker, and others—all of whom made reports to an admiral or captain of the navy, one who knew every part of a ship, and then the necessary repairs were ordered on his judgment. He could not conceive a better system to ensure what was wanted — good work, and economical work. If they had not the right man, get him; but the system itself was good. The engineers in the Royal yards were all striving to get to the head of their profession; and some of the master shipwrights had built for the private trade some of the very fastest ships on the ocean. Objection had been taken to patronage. But there were some officers in the Admiralty with no connection whatever with politics. In their cases patronage had not operated; and with regard to the remainder, could any one point out a superintendent and say he was not efficient? With regard to another objection, the Board of Admiralty was not the only Board we have known. He remembered the breaking up of the Board of Ordnance, and he believed it was the worst step ever taken. As to the head of the Board of Admiralty, there were reasons why he should be a naval officer, and there were reasons in the opposite direction. Whether the head should be a naval man or a civilian should, he thought, be an open question, left to the Crown, and to be determined according to the circumstances of the day. It would be rash in the House to attempt to force the Government into a change of the present Admiralty system. At present every question was discussed by the Board of Admiralty the day it was brought forward, and there could be nothing more prompt than their proceedings in that respect. Some of the ablest administrators of the country had been at the head of the Admiralty, and if an inefficient man were placed there it was the fault of the Government; but it had not been proved that the practice of appointing other than naval men to that office had failed. He (Sir Frederic Smith) would be ready to vote for the sum set down in the Estimates, and regretted that a larger amount was not provided. He was sorry that the docks and basins were neglected. At this very moment, supposing we had a war, we had only two docks at Portsmouth and two at Devonport which would take in first-class ships. We wanted ten docks for large vessels and ten for smaller vessels in the Channel. France had four times the dock power that we possessed in the Channel. This state of things ought not to be permitted to remain. The Admiralty did not ask for money enough. They ought to commence at once at

Portsmouth making large docks. They wanted means in the Channel to repair a fleet in the event of their sustaining disaster. The French ships could run into Cherbourg and Brest to repair after an action, and then sweep the waters of the Channel; while our ships, which had sustained serious damage, would be waiting for dock accommodation to repair. He trusted that the Government would not allow another year to pass without well considering these points, and bringing up Estimates to put the Channel Dockyards in a proper state. They might erect fortifications around Portsmouth and Plymouth; but the money would be thrown away if they were without docks in which to repair and make good disasters of any kind that might happen to our fleet. The right hon. Baronet the Member for Droitwich (Sir John Pakington) had remarked that nobody seemed to be responsible for things which were not done. Well, here were things not done, and the Government were responsible. He trusted that no time would be lost in preparing plans for the necessary works. The preparation of plans had heretofore been done in a very incomplete manner. What was wanted was more vigour, more rapid action. As to the medical officers, respecting whom some remarks had been made, he would observe that, in regard to authority, those of the army and navy were now on a par. They were non-combatant officers; they had no control over any portion of either army or navy, except over the hospital orderlies. The observations of the hon. Member for Bedford (Mr. Whitbread) were sound; but the hon. Gentleman seemed to push the point a little beyond what was reasonable. The hon. Member for Lincoln, with his usual acuteness, had shown that there had been a certain waste of materials, such as did not take place in the generality of private yards; but the hon. Gentleman seemed to have been misinformed as to facts, and he trusted that the hon. Member for Pontefract would show the House the real state of things, and that, on the whole, our public establishments were worked with a due regard to economy, bearing in mind that none but the best materials were used in building or repairing ships in the Royal yards, and that, therefore, articles which would be used sometimes very improperly in private yards, were very judiciously placed in the refuse stock by the Government officers, and hence an apparent, but not a real waste.

Mr. LAIRD said, he agreed with the strictures made by the hon. Member (Mr. Robertson) as to the system upon which the dockyard works were conducted. Instead of getting a practical engineer to make a plan and then carrying on the works with the necessary rapidity, Votes for small amounts were passed from year to year, and the work was delayed till a new Administration came into office, when an entire change was probably made in the plan. In looking over the accounts, he found the result of this system to be that in ten years £1,500,000 had been spent upon peddling alterations of works without making them more efficient for the business of the navy. He hoped, therefore, that any new plan would be laid on the table soon, would be properly discussed, and then executed more rapidly than had been the system hitherto. Another point to which he would refer was the expense of managing the dockyards compared with the results obtained in the shape of ships turned out. Next year it appeared the cost of management of the various dockyards would be £132,631, and that it was proposed to build 15,100 tons of ships and to employ a total of 4,802 shipwrights. It appeared to him that the cost of management in the dockyards was quite disproportioned to the work done, and unless his hon. Friend (Mr. Childers) could give some more detailed explanations than the Returns laid upon the table furnished, the House and the country would probably come to the same conclusion. The cost of repairs formed a very large item, and would continue to do so while the present system was in operation. It would be much cheaper for the Government to repair only such ships as were serviceable, or to build new ones, instead of wasting so much money in patching up old vessels that were of very little use.

Mr. CHILDERS said, after the three nights' debate which they had had upon questions connected with the Admiralty the House would not probably wish to postpone the subject of the detailed Estimates much longer. He thought that many of the questions which had been asked in the course of the discussion would best be answered in Committee when the Vote to which any question had reference was before them. However, he would risk detaining them for a few moments while he did his best to reply to some remarks which had been made by hon. Members. With reference to the remarks in the very temperate speech of his hon. Friend the Member for Finsbury (Sir Morton Peto) upon the constitution of the Board of Admiralty, he would remark that he should be very unwilling to go into a general theoretical discussion as to the constitution of the supervising body. That question — as to the comparative merits of a Board, a Secretary of State with a Council or without one was like all those constitutional questions which had agitated all ages— every one had his own opinion upon the subject, and, whatever one or another might say, somebody was sure to find fault. But the fact was this :— If, as the Duke of Somerset had stated, the First Lord was responsible for the business of the Department, and if the Admiralty were represented in both Houses of Parliament, the question whether there should be a Board or a Chief Secretary and Under Secretary, or what assistance should be given to the head of the Department, was comparatively of minor importance. A bad workman always complained of his tools; but the real question was this—whether they got good work out of the men, and whether the men were working harmoniously together? The hon. Baronet had recommended that when large public works were to be executed the opinion of certain able men accustomed to the carrying out of great plans, but outside the Department, should be taken, and that to their advice great weight should be attached. That might be all very well, but as to the specific proposal of his hon. Friend, that the works of the Admiralty should be put under the control of the Board of Works, or some other Department utterly unconnected with the Admiralty, that was a proposition which, in the naked form in which it was put, the House would hardly be disposed to accept. His hon. Friend said that there was nothing in the naval men at the Board of Admiralty which should make the country take their opinions upon public works; but that was an objection which would equally apply to all public Departments with a Parliamentary head, unless they had the good fortune to have in Parliament persons with professional experience willing to take office. His hon. Friend had spoken of what was done in France, and said that the construction of docks and basins was under the control of the Minister of Public Works. He (Mr. Childers) was at Toulon last year, and he went carefully into the subject, and every one to whom he spoke informed him that the responsible Minister was the Minister of Marine. However, as he might possibly be mistaken upon that point, he would not speak positively, as he should be sorry to mislead the House. His hon. Friend had afterwards asked some questions about the supervision by the Board of Contracts. Upon that subject he might be allowed to say that that question had lately received special attention from the Duke of Somerset, and arrangements had been made with respect to them which could not but prove satisfactory. He would now pass to some remarks made by the hon. Member for Shrewsbury (Mr. Robertson), whose eminence in his profession entitled anything which he said upon the subject of public works to great weight. He (Mr. Childers) entirely agreed with him when he said that such works as they were carrying on at Portsmouth should not be taken in hand unless they were thoroughly satisfied that the plan was a really good one, and that then they should be prosecuted not bit by bit in one year after another, but as they would be by a private person or a public company. Other hon. Gentlemen took the opposite objection, that the Admiralty were unduly delaying the commencement of these works, but when they came to Vote 11 he should be prepared to defend what had been done. Hon. Members had laid great stress upon the necessity for careful inquiry into the expenditure, and had said that merely taking a plan and laying it upon the table upon the authority of one man was not all that was required. But the Government had done exactly what had been recommended. They had not undertaken those great works this year without the fullest inquiry, and they were coming to the House not only showing the total amount of the Vote in connection with the contracts, but also the amounts for certain portions of the works to be executed by contract, and they should endeavour to obtain the authority of the House for carrying them on as quickly as possible. When they proposed to take only small sums for certain works this year, that course would be justified on grounds which he hoped would be conclusive to all men of business conversant with large works. Upon Vote 11 he should be prepared to go into the details. It had been said that the plans for the works at Malta were open to grave objection, and that Mr. M'Lean's plan of last year was to be preferred. He would not enter upon a comparison of the two plans, but would merely say that the present plan was founded upon soundest principles. The original plan of Mr. M'Lean was an excellent one, with the information the Government then had, but the able engineer by whom it was formed was not then in possession of the facts since ascertained, that the dock could be made upon the land between the French Creek and the old Dockyard Creek without interfering with the defences of Malta. The gallant Member opposite (Sir Frederic Smith) had given a satisfactory opinion as to the capacity of the Director of Works. He thought that the Board were fortunate in the selection of such an officer. Technically the Duke of Somerset alone was responsible for this appointment; but he (Mr. Childers) declined to shelter himself behind this responsibility, and was fully prepared to justify his recommendation to the First Lord. When the works were completed he believed they would be as acceptable to his hon. Friend as to all those with whom the officer in question had been connected. The appointment of Mr. Reed had been adverted to, and it was said that the Government had placed themselves in a false position in disregarding the long services of other gentlemen, and in finding themselves mainly dependent upon Mr Reed as a shipbuilder. But what had been the tone of hon. Members throughout these debates in this and former years? Had it not been that the Government were entering upon a new course of shipbuilding, and that they required the experience of a new class of officers? The Government were building in iron for the most part instead of wood, and in iron of a new kind, and it had been said over and over again that with new works they should have new men. His hon. Friend the Member for Lincoln (Mr. Seely) went so far as to advise the Government to have business men as managers at the dockyards, instead of admirals and captains. Yet, at the same time, they were told that they must keep the old class of constructors, merely because they had been long in the service. He was sure that no private shipbuilder would take this advice? He thought they were and would be the first to urge the necessity of new blood, and the propriety of engaging men of known ability like Mr. Reed. The building of ships was now more a matter of engineering and less a matter of shipbuilding than it used to be. Were, then, the Government to blame in engaging the services of a gentleman in regard to whom he might appeal to the hon. Member (Mr. Laird) whether he had not done his work with great ability and marked success? He trusted that Mr. Reed would not only receive the confidence of the Government but also of the House. He must now for the fourth time advert to the remarks of his hon. Friend (Mr. Seely) on an exceedingly dry subject, that of figures and balance-sheets, but he could introduce no new matter into the debate. His hon. Friend truly said that he and his hon. Friend met and exhibited certain figures to each other. His hon. Friend quoted certain figures which could not be gainsaid, and he (Mr. Childers) quoted certain figures which were also in black and white and equally undeniable. But his hon. Friend drew certain conclusions which he could not admit, and his hon. Friend refused in turn to admit the conclusions he drew from the figures, and however often they might meet, he feared that the result would be the same. After they left the realms of facts and figures and proceeded into those of the imagination, he could not, he was sorry to say, follow his hon. Friend. His hon. Friend said that there was a difference between the accounts of 1858 and 1863 of £1,870,000; but that difference was easily accounted for by the stock in hand in those years. He had already stated the figures as to timber and other articles, and those figures he had entirely substantiated to his hon. Friend. The hon. Member, however, went back to 1848, and said that between 1848 and 1863 there was a difference that he could not reconcile. But between 1848 and 1858 these accounts did not exist, and, therefore, the remarks of his hon. Friend were no answer to him. He (Mr. Childers) did not go beyond certain plain facts and figures in account, and when his hon. Friend evaded the plain comparison he had shown, and drew conclusions from words spoken years ago as to supposed stocks, at a time when no such accounts were kept, he could not admit that his statements had been shaken. He had found it impossible to follow his hon. Friend in the remarks he had made upon the sum of £2,200,000, but if his hon. Friend had put the figures into his hands a day or two ago, he should have been only too happy to enter upon the discussion with him. What he (Mr. Childers) had really said as to debiting the amount of dockyard pensions in the expense account was that it was exceedingly difficult to see on what principles it was right to add the amount of pensions in any one year to the other expenditure in the same year for wages. He hoped next year to be able to show a satisfactory balance-sheet of expenditure in shipbuilding in the Royal yards, but the details of such an account could only be settled after very careful consideration by able accountants. They all agreed that the accounts ought to be prepared in a certain way, and he trusted that they would be clear and satisfactory to the House.

Mr. **AUGUSTUS SMITH** said, that nothing could be more unsatisfactory than the discussions in Committee on these Estimates. They embraced details which it was quite uncertain whether hon. Members would take up, and the House could never depend upon their being discussed. The House was often asked to give a Vote on account for Estimates that were not before it. It had often been suggested that it would be well to refer the Civil Service Estimates to a Select Committee before they came before the House for discussion; and as he thought that suggestion was well worthy of trial at least, he took this opportunity of submitting it to the House. The only objection that ever he had heard suggested to such a course was that it would weaken the responsibility of the Government, as the Estimates would be those of the Committee not of the Government, but he did not understand that any recommendation of a Committee could interfere with the free action of the House. In France and some other foreign countries it was the custom to refer the Budgets of different departments to Bureaux, and the same course might be attended with advantage here. They would be considered item by item in Committee, and the taxpayers would have further security that there was no excess in the public expenditure. He therefore begged to move—

"That the Civil Service Estimates be referred to a Select Committee for examination, and to report thereon, in respect of each class separately, such matters as may appear to them specially to deserve the attention of the House.

Mr. Alderman **SALOMONS** seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Civil Service Estimates be referred to a Select Committee for examination, and to report thereon, in respect of each Class separately, such matters as may appear to them specially to deserve the attention of the House,"—(*Mr. Augustus Smith,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. **PEEL** said, he thought that the course suggested by the hon. Gentleman's Motion was objectionable, because it would have the effect of taking the conduct of the business of the House very much out of the hands of the Government, as they would be unable to bring forward the Estimates when they wished, and because it would indefinitely extend the time during which the expenditure for the Civil Service would be going on without proper authority from Parliament. With respect to the Report of the Select Committee, if it was intended that they should only call attention to the variations in the Estimates from year to year, he must remind the hon. Gentleman that as the Estimates were now prepared those variations were shown; and if it was intended to do more and to give the reasons for or against such variations, then the Committee would undertake a task which it would be impossible to finish by the time when it would be absolutely necessary the Estimates should be submitted to Parliament. Why should a different course be adopted with reference to the Civil Service Estimates and the Army and Navy Estimates? The Civil Service Estimates were not increasing—on the contrary, their tendency was to decrease. He did not see any reason for a preliminary examination of the items of the Estimates, in addition to the examination which took place at the Treasury. They were now prepared in such a manner as to show the sums taken in the former year, so that the House was enabled to see at a glance whether the items had increased or diminished. As the proposition of the hon. Gentleman, if carried out, would tend to diminish the responsibility of the Government, and to weaken the interest which many Members took in the discussion of the Estimates, he trusted that the Motion would not be adopted by the House.

Mr. **AUGUSTUS SMITH** said, he would not press his Motion.

Amendment, by leave, *withdrawn.*

SIR RICHARD MAYNE AND THE BARNET MAGISTRATES.

OBSERVATIONS.

Mr. ADDERLEY said, he wished to call attention to a subject of considerable importance, but which, on its first aspect, might not appear to be very deserving the attention of the House. He desired to invite their attention to the correspondence just laid before the House between Sir Richard Mayne and the Magistrates of Barnet. The subject seemed small, but there was involved the question, whether that House would consent to allow habitually the Chief Commissioner of Police, an Executive officer, to set at nought or explain away by his instruction the legislation of Parliament. The facts out of which this question arose were briefly these. The magistrates at Barnet sentenced two boys under the Juvenile Offenders' Act to be whipped, and took advantage of a section in that Act which enabled them to order the punishment to be inflicted by a constable, as, the boys being the children of respectable parents, it was desired to spare them the stigma of confinement in the county gaol. Upon applying to the Inspector of Police, however, the magistrates were informed that to carry out their sentence would be contrary to his instructions. Now, the House ought to consider whether it would share with the ordinary, by a process of official instructions, the functions of legislation. At least the instructions so issued should be always laid before Parliament, so that the Legislature might be made aware of what had become of previous legislation, and on what practical conditions of the law it might proceed to further enactments. The magistrates, of course, were rather astonished at the Inspector's statement, because Barnet being a rural district, within the Metropolitan Police Act, their own constables had disappeared, and had become merged in the metropolitan Police. They remonstrated, and in reply they got a letter from Sir Richard Mayne referring to two cases which had occurred at Epsom and Richmond some twenty or thirty years ago. This letter seemed somewhat to implicate the Home Secretary in the matter, for Sir Richard stated that in these cases he had taken the advice of Sir George Grey, who thought that though the police were not exempt in case of magisterial order from the duty of whipping offenders, yet some arrangement might be made "by which the necessity of throwing it on the police might be obviated." Now, whatever might be the private opinion of the Home Secretary or Sir Richard Mayne it mattered nothing compared to the public duty of the execution of legislative enactments. When Parliament had once said that such and such should be the law, the course was simple to the Executive administrators of the law. Judging from the opposition which was made by the right hon. Gentleman two years ago to the proposition for extending the punishment of whipping to garrotters, he fancied the Home Secretary had allowed private feelings to intrude in this case into his public office. Under the encouragement given by Sir George Grey, Sir Richard Mayne stated to the Barnet magistrates that, looking at what occurred in the cases at Epsom and Richmond, he had reason to believe that the constables would feel great repugnance in carrying out the sentence. The case had now arrived at this point—not only might the Chief Commissioner explain away, but he might also obstruct legislation, and he might do so simply on the ground of his officers having a repugnance to it. It was a grave question, whether the Executive of the country could, on the mere ground of the repugnance of its officer, obstruct the carrying out the enactments of Parliament. The magistrates seemed to have thought this letter very unsatisfactory, as, no doubt, the House would also, and they wrote again to Sir Richard Mayne, and received from him a reply which was most significant. He required, if the police were to perform the duty, that there should be provided for the birching of two little boys—a punishment inflicted in most of our public schools—all the paraphernalia which was provided in the old days when 400 or 500 lashes with a cat-o'-nine tails were inflicted in the army, when it was necessary to have a surgeon on the ground, and all the hospital appliances, and to provide for the contingency of death. He said—

> "I do not think the police ought to be allowed by me to inflict such a punishment unless precautions are taken by the magistrates to guard against any abuse of the power proposed to be given, and that the sentence should not be inflicted if, from the state of health of the prisoner, or other causes, dangerous consequences might ensue. For these purposes, some persons should attend on the part of the magistrates to see that the punishment is duly inflicted according to the sentence, and a competent medical

man, appointed by the magistrates, be present during the punishment."

Now, such a demand where all that was to happen was the birching of two little boys, could never have been seriously made by a man in Sir Richard Mayne's position, and it was therefore merely a pretext for obstructing the execution of the sentence. Sir Richard went on to assign a further reason against executing the magistrates order—that if the sentence were carried out at the police-station, it would be within the hearing of the wives and daughters of the constables, whose nerves, no doubt, were so delicate that the cries of these little boys would be too much for them. He had no objection to police constables being married and having families, but if the fact of their having wives and families was to excuse them from performing the duties cast on them by law, he should be ready to propose a Vote to provide a separate house for the wives and daughters, where they could not be shocked by the cries of little boys who were birched. Would the House permit Executive officers to set its legislation at naught in this fashion? He hoped the right hon. Baronet opposite would explain the transaction, and that he would promise at least, if such transactions were to continue, to supply the House with copies of all instructions which Sir Richard Mayne might think fit from time to time to issue to his police on particular Acts passed by that House, especially as he had been informed that in many other cases those instructions had completely set Acts of Parliament at naught. This matter might be small, but the principle involved was a very important one.

Mr. AYRTON said, he thanked the right hon. Gentleman for bringing this subject before the House. He thought this case was a remarkable illustration of some observations which had fallen from him on a previous evening respecting the position of the Chief Commissioner of Police in reference to the rural districts. It showed how entirely out of harmony Sir Richard's police administration was with the circumstances of those districts. They had been included in his jurisdiction not from police reasons, but from financial reasons. All counties, however, were now able to get contributions from the Consolidated Fund for their police, and there was no longer the same reason for these districts being in connection with the metropolitan police as when that force alone received a contribution from the funds of the State. It was a great mistake to suppose that any advantage was gained in police administration from having a large area. On the contrary, police efficiency depended a great deal on having a small area and close inspection. Another essential was that the police should be in harmony with the judicial functionaries of the district and with public opinion. What might be a good system in London was not necessarily a good system in a country district, and it would be better to give back to the counties the jurisdictions which had been taken from them. It would be judicious to revert to the rural police system in the districts now under the metropolitan police, and to make such police responsible to the magistrates of the counties, where no such case as the present one would ever occur again. The most satisfactory way of administering justice was through unpaid magistrates acting in petty session. What ought Sir Richard Mayne, the chief of the metropolitan police, to have to do at Uxbridge? Possibly, the system of "unpaid magistrates," like all other systems, might be open to some objection, but he should be very sorry to see "barristers of five years' standing" scattered all over the country as stipendiaries. The police force under the control of Sir Richard Mayne had grown up into a gigantic system quite beyond control, and such as ought never to be placed under the absolute authority of any one man. In the metropolis there was nothing to induce anybody to perform gratuitously those duties which were so generously and well performed by the body of country gentlemen throughout England. But though they could not have petty sessions in London, they certainly might confine Sir Richard Mayne within his legitimate sphere of action; for the military display of helmets, &c., gratifying though they might be to look at, were of slight importance compared with the due preservation of life and property.

Earl PERCY said, that he differed from the hon. and learned Gentleman who had just sat down, and believed that within a certain circle of the metropolis it was desirable that the metropolitan police should have jurisdiction. At any rate, as far as the mere detection of crime was concerned, it was more satisfactory to have the jurisdiction in the hands of the police than in those of the magistrates of the county.

Sir GEORGE GREY said, he believed

that what the noble Lord said was perfectly true—namely, that it was desirable the metropolitan police should have jurisdiction within a certain area beyond the actual metropolis with a view to the prevention and detection of crime. Outlying districts included within the police jurisdiction were brought within its limits at the express request of the inhabitants. As regarded the question raised by the right hon. Gentleman, he could assure him that the views and instructions of successive Secretaries of State for the last twenty-five years were perfectly consistent on this point. With regard to the question of the right hon. Gentleman, he was at perfect liberty to see all the instructions which had been issued from the Home Office for the last twenty-five years. In 1847, after the Act of 11 & 12 *Vict.*, which subjected boys to the punishment of flogging, the question was brought before the Home Office, and it was decided that it would be inexpedient to allow any police constable without check or supervision to inflict this punishment, and instructions were accordingly given that in all cases it should be inflicted by the gaoler of the police station, who was to be sworn in a constable of the metropolitan force for the express purpose. Lately, he had inquired from Sir Thomas Henry whether these regulations were still in force, and found, notwithstanding the ridicule thrown upon the matter by the right hon. Gentleman, that the cries of the boys did attract such a disorderly crowd and occasioned so much inconvenience, that for some years past the practice of whipping at the police stations had been abandoned, and boys were sentenced to imprisonment, though it might be only for a few days or a few hours, in order that the punishment might be inflicted at the prison, subject to those precautions which the right hon. Gentleman had also ridiculed. The other night his attention had been called to a Return of the whippings inflicted by order of the magistrates, and especially to one case where twelve lashes were inflicted on a boy six years of age. Into the circumstances of that case he had inquired, and the answer had not yet been received. The right hon. Gentleman, however, was quite in error in supposing that no precautions were taken against excessive punishment. In one case contained in that Return where twelve lashes were ordered, the surgeon who was present stopped the punishment at the eighth stroke. If the whippings were inflicted in the manner that was desired, and without any supervision, the House would ring night after night with complaints of the undue severity of the police. In the case of every boy who was sent to prison to be whipped, the surgeon was ordered to superintend the punishment, and the Governor was also bound to be present. In the outlying districts, no doubt, police constables were bound to carry out the lawful order of the magistrates, and both they and Sir Richard Mayne would be ready to do so; but he thought Sir Richard Mayne only did his duty in protecting the constabulary from the complaints which would be made if they inflicted these punishments free from all control and supervision. The magistrates, on their part, ought to see that proper precautions for this purpose were taken.

MR. HENLEY said, this was one of the gravest questions that could come before the House, and the manner in which it had been met by the right hon. Gentleman did not lessen its importance; for what did he say?—that the members of this highly-organized and highly-paid police force would only carry out the law if the magistrates did something which the law did not authorize them to do. The papers showed that this question did not come upon the police by surprise, but formed a branch of a regularly codified system. The law had been altered two or three times since the Epsom case in 1850, and if the Home Secretary thought it was still defective, why had he not provided the necessary Amendment? The right hon. Gentleman spoke of the power as dangerous, and talked about "lashes." Language of that kind served very well to get up a cheer in the House, but he knew very well this was no case of lashes, but of whipping with a birch rod. These two things were as different as chalk and cheese. In 1850, in 1857, or in 1865 did Sir Richard Mayne dream of securing the attendance of a surgeon? He never dreamt of it. Was it out of mercy to the child that the whipping was withdrawn from the hands of the police constables. Such a thing never entered into his consideration. The real and only reason for the course adopted was that it was repugnant to the feelings of the highly-paid constable to discharge these functions, and the humane considerations were thrown in as corks to float the case. The paid constable could not soil his fingers, but he turned the dirty work over on the unpaid constable, the tradesman, perhaps, who had properly nothing to do in the matter. The question was, where was all this to stop? England was fast becoming one of the most police-ridden countries in Europe. When Sir Robert Peel got up the force, he gave to the policeman, at 20*s.* a week, the power which the common law had given to the tradesman, and they had been growing on step by step. It was quite clear that Sir Richard Mayne did not like flogging, and he did not wonder at it. But what would it come to? The next thing would be that a constable would not take a man into custody because he would have to be hanged, and a special constable would have to be sworn to take him. In the present instance, the House had the case submitted to it of a Chief Commissioner of Police who of his own arbitrary will relieve the constables under him from the performance of a duty which happened to be disagreeable to them, while if anybody was aggrieved by them there was no remedy against them unless the existence of private malice could be proved. That was a state of things which, in his opinion, was open to the strongest objection, and it would, he feared, continue to grow step by step in the direction pointed out unless a check were put upon it. It was evident that the boys in question had not been flogged either because Sir Richard Mayne did not like the infliction of that punishment, or because the police thought it a disagreeable task. If, however, the law imposed such a duty upon them, they were bound to perform it; for it was as monstrous to contend that they ought not to be called upon to do so as that a man should not be flogged in prison because the wife and children of the Governor resided within its walls. As matters stood we seemed to be getting into a very awkward position. If the law relating to such cases as the present were wrong it was easy to amend it; but while it remained on the statute book he did not think it was either right or fair of the Home Secretary to back up a Police Commissioner who refused to obey it because it did not happen to be to his mind. As to there being any danger to the boys from being flogged with that murderous instrument, a birch, those who were as old as he was would not entertain much apprehension on that score, and he felt sure the right hon. Gentleman opposite, who possibly might have had himself some experience in that way, would concur in that opinion. At all events, when Sir Richard Mayne talked about dangerous consequences in the present instance there was as much an air of what was commonly called humbug about the whole thing as he had heard of for a long time. It was, he might add, the duty of the right hon. Gentleman to compel Sir Richard Mayne, as an Executive officer under the Government, to obey the law, and not to make such absurd excuses for its violation as the House had just listened to.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

(1.) £175,957, Admiralty Office.

Sir MORTON PETO said, he wished to impress upon the Government the expediency of concentrating the various Admiralty Offices in one locality, instead of having them divided, as at present, between Somerset House and Whitehall. He hoped they would state to what, if any, decision they had come.

Lord CLARENCE PAGET said, that he agreed with the hon. Baronet as to the great importance, for the better administration of naval affairs, that the whole of the Offices connected with the Admiralty should be under one roof; but the concentration suggested would be attended with considerable expense, and that the only reason he could give the Committee for not having carried out a scheme which he admitted would effect a great public convenience was the enormous outlay which had been incurred in consequence of the change in the construction of the navy within the last few years. He was, however, in a position to inform the Committee that the Director of Works had been instructed by the Duke of Somerset to prepare plans on the subject, and that those plans were nearly ripe for consideration. The question to be decided was whether the whole of the Admiralty Offices were to be concentrated at Somerset House, or whether those Offices now situated at Somerset House could not be provided for by means of additional buildings at Whitehall. During the present year he was afraid he could hold out no hope that that question would be practically solved, but he sincerely hoped he should be able next Session, if he should continue to hold his present office, to introduce a measure for the concentration of the Offices in one or the other of the places mentioned.

Sir JOHN PAKINGTON said, that he wished to ask for an explanation with reference to the positions occupied by the temporary clerks at the Admiralty, in whose case promotion was very slow, while they received no increase of salary from year to year.

Lord CLARENCE PAGET said, it was formerly the system to subject the temporary clerks to two different examinations before they were permanently placed on the Establishment, while others obtained their appointments at once without that double ordeal. The Duke of Somerset had deemed it right to lay down a rule in accordance with which all now after one competitive examination entered the service as temporary clerks and then fell into the Establishment as vacancies occurred. There were a great many temporary clerks both at Whitehall and Somerset House, as owing to the pressure of business the staff had been increased, and he was not prepared at the present moment to say that the Admiralty were about to recommend to the Treasury any increase in the Establishment; but those who conducted themselves properly might in process of time hope to be placed upon it.

Sir JAMES ELPHINSTONE said, he understood that some of those clerks had filled their "temporary" position for as long a period as fourteen and even twenty years. He also drew attention to the fact, that whilst the cost of the Board of Admiralty was £9,700, that of the legal department of the Admiralty was £10,713.

Lord CLARENCE PAGET said, that for the sum of £2,600 the solicitor of the Admiralty provided an office and clerks. It must be borne in mind that legal gentlemen would not abandon their private practice for the sake of government work unless they had a fair salary. As to the other item, all he could say was that legal expenses of the Department were increasing; there had been a good many contracts and much litigation arising out of them.

Vote *agreed to.*

(2.) £284,395, Coast Guard Service, &c.

Sir JOHN HAY said, that one of the principal objects of appointing a Controller General of the Coastguard was that they might assemble the ships under him in the summer months, as a squadron of evolution. During last year, however, this had not been done; but he hoped that it would be done this year.

Mr. AYRTON, said, the customs duties of the country were very much reduced, and he wished to know why, if the Coastguard was kept as a revenue force, they were not reduced in a proportionate degree. He wished to know if there was any prospect of a reduction in the Vote. It was to a great extent part of the navy, and the cost should really be placed upon the Navy Estimates.

Lord CLARENCE PAGET said, that the sum of £688,648 was the total cost of the Coastguard, and was a reduction by £16,000 upon previous years. There was a yearly increase in the reserve. The difficulties in the way of assembling the Coastguard squadron for evolutions were that its assembly caused a considerable expense, and occasioned inconvenience to the volunteers. Although the ships had not the advantage of cruising in squadron, which he admitted was of great importance, they went into the Channel singly and practised and manœuvred.

Sir JOHN PAKINGTON said, that the Vote for the Royal Naval Reserve was exactly the same in amount as last year; the number was 16,000 men, and he wished to know whether there was any endeavour to increase the number.

Mr. CHILDERS said, that the number of this force was steadily but slowly increasing. No addition had been made to the Vote this year, because the Votes of last year and the year before had been in excess of the amount required.

Sir JOHN PAKINGTON said, he wished to ask, what increase of number there was during the year, and what it was intended to raise the number to?

Lord CLARENCE PAGET said, the increase in number was about 400 or 500 per annum. They might increase the number rapidly by lowering the qualifications, but they found it desirable to keep the force as select as possible.

Mr. C. P. BERKELEY said, he wished to ask, how many of the 16,000 men of whom the force was stated to consist were in this country? He also desired to be informed as to the state of the Coast Volunteer force.

Lord CLARENCE PAGET said, that on the 31st of January last the number of men belonging to the Royal Naval Reserve at home, and available at once, was

9,613; the number on leave for short voyages and available in six months or under was 4,995; and the number on leave for long voyages, and who could not be got at in less than about a year, was 1,141. Therefore, about two-thirds of the force were available at once. Those only received pay who underwent their annual exercise. The number of the Coast Volunteers had somewhat diminished, in consequence of the Act which authorized their being required to serve at a distance of more than 300 miles from England. The result of the introduction of armour-plated ships was that smaller crews were required than were necessary on board the old wooden line-of-battle ships. Therefore, this year the Vote for the Coastguard would be 500 less. After consulting with officers of the Customs he found that it was no longer necessary to keep up the number of the Coastguard on shore for the purposes of the revenue, and, therefore, the number of that force on shore was being gradually, but steadily, reduced.

Sir JOHN PAKINGTON said, he wished to know, whether the long voyage men received a certificate entitling them to their retaining fee in cases where the length of their voyage had prevented them from going through the prescribed drill.

Lord CLARENCE PAGET: No certificate was granted unless the necessary twenty-eight day's drill had been gone through.

Sir JAMES ELPHINSTONE said, he wished to ask, when the Admiralty were going to provide a suitable ship for exercising the Naval Reserve at Aberdeen? There were 1,000 first-rate seamen enrolled in that town, and they were compelled to go through their drill in an old frigate of the class "Jackass frigates." He recollected that vessel forty years ago, when she was called the *Conway*. She had once been under the command of Captain Basil Hall, and she had the reputation of being an exceedingly bad ship, and when the Naval Reserve was established she was the Reformatory ship at Liverpool. It was utterly impossible for the men to be properly drilled on board her, as her decks were not of sufficient width to permit large guns to be worked. So useless was she for the purposes of drill that the officer in command of the men had applied for permission to build a shed on shore in which to exercise the men. In the meanwhile the Admiralty were selling numbers of ships admirably adapted for the purposes of drill. He wished to know why the name of the vessel had been changed from the *Conway* to the *Winchester;* the latter having been the name of an exceedingly good ship, why should such a name be given to such an old beast of a ship? In consequence of some supposititious saving the services of these 1,000 men were entirely wasted, as they were not being taught to work the heavy guns now in use.

Lord CLARENCE PAGET said, the change of name in the *Conway* was to prevent confusion in the Paymasters' Office and in the books of the navy. He was aware that every port was anxious to have a large ship for the purpose of drill; but the cost of preparing vessels for that purpose was very large. As soon as possible Aberdeen would be supplied with a more commodious vessel.

Vote *agreed to.*

(3.) £70,042, Scientific Departments.

Mr. AUGUSTUS SMITH said, that the opposition he had offered last year to the removal of the School of Naval Architecture from Portsmouth to South Kensington had been fully justified by the results. It was then stated by the noble Lord that the removal was resolved on because there were already the requisite staff of professors at Kensington for the instruction of the students. It now turned out that, so far from that being the case, it had been found necessary to appoint a Director of Education for the Admiralty, at a salary altogether amounting to £1,200 per annum, and to bring officers from the different naval dockyards to lecture. Thus the Timber Inspector at Woolwich Dockyard; Mr. Reed, the Chief Constructor of the Navy; Mr. Murray, the Chief Instructor for Portsmouth; Mr. Bains, the Assistant Instructor for the Navy the surveyor at Lloyd's, and Mr. Murray, the engineer to the Board of Trade, were all taken to Kensington in rotation to lecture — the whole cost of the establishment being about £5,000 per annum, instead of the £2,500 it was estimated to cost. All this expensive and elaborate machinery was for the sole benefit of sixteen dockyard and four private students. The young men were brought from the different dockyards for six months in the year, for the purpose of going through a course of lectures occupying the greater portion of the day and a part of the evening, by which means these pupils were deprived of all opportunity for the discipline and exercise which was necessary for the preservation of their health. During the other six months these young men were employed in the dockyards without receiving any kind of education whatever. He regarded this system as a most extraordinary one in every respect.

Mr. Alderman SALOMONS said, he had to complain that no models of modern ships, such as the *Warrior* and the rams, were to be found in the School at Kensington. They were all old models which appeared to have been dug from the vaults of the Admiralty, and some means ought to be taken to place the school on a better footing.

Mr. AYRTON said, he regretted that the noble Lord (Lord Clarence Paget) should have determined to establish the school of naval architecture at the extreme west end of London, at a distance from all the shipbuilding establishments which existed on both sides of the Thames. He regarded it as an extraordinary piece of official eccentricity. In all probability the present situation was chosen in order to accommodate the *protegés* of fashionable people at the west end of the town. It could not, however, but be prejudicial to the best interests of the country.

Lord CLARENCE PAGET said, that he had distinctly informed the House last year that the probable amount to be asked for the year would be £4,000. The hon. Member for Truro (Mr. Augustus Smith) appeared to regard this sum as extravagant, but a comparison with the expenses incurred by the French Government for a similar school at Paris would show that their expenditure was equal to ours. According to the report of Dr. Woolley and a captain of Engineers sent to Paris to inquire into the subject, the number of *elèves* in the school was twenty-eight, with occasionally two or three free pupils, but usually none of that class, and the cost was 100,000f., or £4,000 per annum. The object of our own School of Naval Architecture was not only to foster our naval shipbuilding, but also to promote the extension of a higher branch of shipbuilding in our private yards, and several pupils from the latter establishments had already availed themselves of the advantages offered by the Government institution. He did not believe that the position of the School was inconvenient. It was a pleasant ride from the east end of London by omnibus. The School was fixed at Kensington because, as he stated last year, the Government had a very convenient building there where the pupils could be lodged at a comparatively small expense. With regard to the models, it was true that they had not such models as they would like to see in a museum of the kind, but the fact should not be overlooked that they had block models of the modern ships, and they hoped gradually to introduce other models of ships of the present day. The collection of models at Somerset House had been removed to the Museum. With regard to the Educational Director, education in the dockyards, the training ships, and the fleet had so increased, that the appointment of such an officer was deemed necessary. The Duke of Somerset had therefore appointed Dr. Woolley, a most efficient person, to the office.

Vote *agreed to.*

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £192,415, be granted to Her Majesty, to defray the Salaries of the Officers and the Contingent Expenses of Her Majesty's Naval Establishments at Home, which will come in course of payment during the year ending on the 31st day of March 1866."

Mr. WYKEHAM MARTIN said, he had last year opposed the introduction of machinery into the rope-making department of Her Majesty's Dockyards, believing that it would have the effect of throwing a great many men out of employment. It appeared that since then a great many deserving men, who from six to twenty years had been employed on those works, were thrown out of employment without any compensation, and many of the men with large families. He admitted that those men had no claim on the Admiralty in point of law, but surely on the ground of equity it was most unjust to dismiss honest industrious men, who had served the Government for eighteen or twenty years, on the plea that they were after all but temporarily employed. The only persons who had not been benefited from the increase of wages in our national establishments were the joiners. They were paid only 3*s.* 10*d.* a day and had to find their own tools. The ropemakers had been thrown out of employment, because the noble Lord had found it cheaper to employ women to do their work.

Sir JAMES ELPHINSTONE moved that the Chairman report Progress.

Viscount PALMERSTON said, he hoped the hon. Baronet would not press the Motion to a division.

Sir JAMES ELPHINSTONE said, it was too late then (ten minutes to twelve o'clock) to go through the Vote that night.

Whereupon Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir James Elphinstone.*)

The Committee *divided:* — Ayes 27; Noes 51; Majority 24.

Original Question put, and *agreed to.*

(5.) £37,332, Naval Establishments Abroad.

Vote *agreed to.*

(6.) £1,158,797 for Wages to Artificers at home.

Sir JOHN HAY moved that the Chairman report Progress. The Vote was one of great importance, and he hoped it would not then be pressed.

Lord CLARENCE PAGET said, he would not press the Vote. He proposed, however, to proceed with the remaining Votes in the Navy Estimates on Friday next, and to defer Vote 11, for works connected with docks and basins, until after Easter.

Motion *withdrawn.*

Resolutions to be reported.

SUPPLY — CIVIL SERVICE ESTIMATES.

Mr. PEEL moved the Vote he had given notice of for £1,748,000 on account towards defraying certain Civil Service Estimates for 1865-6. He said he had presented a Return to the House which showed the different services to which the Vote was to be applied, and the amount that would be appropriated to each service. No service was included for which provision had not been made from year to year for a long time past. It was, therefore, presumed that Parliament would again make provision for them. The object of the Vote was to enable the Government to meet the necessary charges during the first quarter of the current financial year, until Parliament should have passed the Civil Service Estimates in the regular course. The necessity of the Vote was owing to the circumstance that the balances in the Exchequer, to the credit of the different services were merely the balances of last year's Votes, and were not sufficient without this Vote on Account. In former years it was different, because the balances of former Votes were allowed to accumulate in the Treasury; but under the recent arrangement the Treasury gave up the balances in the Exchequer except the last year's balances, and those were not sufficient for what was now required.

Motion made, and Question proposed,

"That a sum, not exceeding £1,748,000, be granted to Her Majesty, on account of certain Civil Service Estimates for 1865-6."

Lord ROBERT CECIL said, he had no wish to oppose grants which might be necessary for the public service, but could not help drawing attention to an irregularity which might be drawn into a very evil precedent. He understood that the sums now asked for were intended for services for which the Estimates had not been laid on the table, or at least were not in the hands of Members. He did not say that the hon. Gentleman meant to take any advantage, or was not dealing towards them with perfect honour, but the House ought to be careful how it sanctioned a practice that might lead to dangerous consequences by voting public money for services of the details of which it had not yet been informed. He quite admitted that it might very often be necessary to vote sums on account before the time had arrived when the Estimates could be discussed in detail; but it ought never to be necessary to vote sums on account before the Estimates were in the hands of Members.

Mr. TORRENS said, he hoped the Secretary of the Treasury would specify the services for which he asked that Vote. He wished to know in particular whether the salaries connected with the Mixed Commission at the Cape of Good Hope—which he believed to be a sinecure—were included in the Vote. If so, he should like to divide the House against those salaries, as he thought that that expenditure might be saved to the country.

Mr. AUGUSTUS SMITH said, he entirely concurred with the noble Lord (Lord Robert Cecil) as to the irregularities of that proceeding. Last year was the first case he recollected of these Votes on Account being taken before the Estimates were in the hands of Members; but this year the practice was carried to an unprecedented length. That was the first time they had been asked to vote instalments without knowing what were the total sums of which they formed a part. The Estimates seemed to be kept back in order to prevent hon. Members from informing themselves previously about what they were called upon to vote.

Mr. THOMSON HANKEY said, he believed that the course now pursued had been adopted for the last two or three years, and it appeared to him most expedient and likely to prove economical. It was designed to obviate the necessity of waiting for the Estimates before they could have a full discussion on every Vote. There were many details which might remain undecided, and which it was desirable that the Government should have time to consider.

Mr. PEEL said, that the Return presented on the 14th of March showed exactly in what manner the Vote now asked for was to be appropriated among the services; that Vote would not give authority to expend more for any particular service than the sum placed opposite to it in the Return. As to the Slave Trade Commission, the amount that would be allotted to it was only £3,000, whereas the total sum that would be required for that particular service was £10,000. If, therefore, the hon. Member (Mr. Torrens) desired to propose a reduction on that head he would have an ample margin left him for doing so. It was not always possible to produce the Estimates as early as could be wished, because if a single Vote, or even a single item, remained undecided it prevented the presentation of the whole class to which it belonged. For example, Class 5 had been ready for some time past, with the exception of one Vote, but that one Vote was received only yesterday, and it was necessary to keep back that entire class of the Estimates in consequence. He might observe that all the services for which provision was made by a Vote on account were established services, well known to the House for which it was accustomed to make provision year by year, and as to which there could be no doubt Parliament would grant the sums asked for.

Mr. BENTINCK said, he could not agree in the doctrine laid down by the Secretary to the Treasury (Mr. Peel). The House ought to be placed in possession at an early period of the Civil Service Estimates, as these were the only Estimates in which there was a chance of effecting any reasonable reduction, and he wanted to know why they were not placed in possession of all the details of the accounts before they were asked for a Vote. Any item that had not been agreed on when the Estimates generally were ready could be included in the Supplementary Estimates. Several of the items referred to in the Return would certainly lead to discussion. The present system not only led to inconvenience, but committed the House to the principle of the items for which Votes on account were granted. The doctrine laid down by the Secretary of the Treasury would preclude them from pronouncing an opinion on any items which they had voted in previous years.

The CHANCELLOR of the EXCHEQUER said, no inconvenience existed by the present arrangement, as any hon. Member could, if prepared, propose to strike out or reduce any items in this Vote of the accounts just as he could if the Estimates were before him. As to the remedy proposed by the hon. Gentleman, it would interfere with the classification of the Votes and be productive of great inconvenience. It was impossible to prepare the miscellaneous estimates for the commencement of the Session, as they did the Military and Naval Estimates, owing to their multifarious character. There was no desire on the part of the Government to withold those Estimates a moment longer than was absolutely necessary.

Mr. COX said, that his hon. Friend the Member for Sheffield had given notice for the omission of the Vote for the Belfast Theological Institution. If they passed now a Vote on account would they not be met hereafter by the answer that they had already voted a sum on account?

Lord ROBERT CECIL said, he wished to point out that if this system were to be pursued they would lose their established right of controlling the expenditure of the country. It was the practice of the House to go through these Votes one by one. For the Civil Service Commission they were asked at once to vote on account three-fifths of their salaries. £10,000 out of £13,000 was asked for the National Gallery, and a similar item for Dr. Stevens's Hospital. It appeared to him that they were asked to vote a lump sum which included a number of separate items involving various important principles upon which great difference of opinion existed in that House. This plan was a most objectionable one, but if they were to reject this Motion he supposed they would bring the public service to a standstill, but there should be an unmistakable expression of opinion on the part of the House against the practice.

Sir JOHN SHELLEY said, he thought

the system of taking Votes on account, especially in the case pointed out by his hon. Friend the Member for Finsbury, was exceedingly objectionable; but, like the noble Lord (Lord Robert Cecil), he did not see what they could do now.

Viscount PALMERSTON said, the system no doubt was to some extent inconvenient, but it could not be avoided. There was no alternative, except that of leaving the services unpaid during the period till the House settled the details, or of giving a Vote on account. There remained a sufficient sum when the Estimates were examined in detail to enable the House to express its opinion and object to a particular Vote if it thought that the service to which it referred should cease; and therefore the House was just as free when it came later in the Session to discuss the Estimates in detail to object as if there had been no Vote on account. The first and most important Estimates were those of the Army and Navy. They were not disposed of and probably would not be till after Easter; and what was to become of those miscellaneous services if nothing was voted on account in the meantime? The introduction of these Votes on account was a necessary consequence of a recommendation made by a Select Committee of the House.

Mr. BENTINCK said, he thought they were in a more complicated position than ever. The noble Lord said they would be perfectly free at a future time to discuss any detail of these Estimates; whereas he understood the Chancellor of the Exchequer to say that if they assented to-night to the Vote before the House they were committed to the principle of the Vote.

The CHANCELLOR of the EXCHEQUER said, the hon. Member was perfectly at liberty to take objection now to any Vote in the instalment asked for; and at a future time it would be competent to object to the balance, but not to the whole amount of the Vote. If the Vote on account was adopted the House might discuss the principle of any Vote in future, but would scarcely be open to come to any practical Resolution on the subject. Whether this system of voting on account were good or bad, it was not the invention of the Government, or of any former Government, but the system recommended by an authoritative Committee on Public Accounts nominated by that House.

Mr. WHITE said, he thought that any contested Votes should be omitted from the Vote on account. For instance, the hon. Member for Sheffield had a notice of objection on the paper with respect to the payment of the Belfast Professors.

Mr. PEEL said, the hon. Member for Sheffield had authorized him to state that he reserved his objection until the Vote was moved in the usual course.

Mr. BENTINCK said, it appeared to him that the Chancellor of the Exchequer had admitted the truth of his objection—namely, that if they sanctioned the Vote that night they were precluded from negativing at a future period the whole amount included in that Vote. He wished to know if the right hon. Gentleman sanctioned the practice of asking thirty or forty Members, at nearly one o'clock in the morning, to pledge the Whole House to the principle and details contained in this Vote on account?

Lord ELCHO said, that in Class 4 there were Votes for Science and Art, for the British Museum and National Gallery. The hon. Member for Galway had a notice on the paper for Friday to call attention to the British Museum, the National Gallery, and the Museum at South Kensington. It was possible that he might influence the views of hon. Members with respect to the Votes for those institutions. He should like to know whether these Votes on account for those establishments would effect such questions as to whether the British Museum should be broken up, or as to the removal of the Cartoons from Hampton to Kensington Museum?

Sir CHARLES WOOD said, that the reply of the Secretary to the Treasury with respect to the Motion of the hon. Member for Sheffield was an answer to the question of the noble Lord. A Select Committee of the House had recommended that the balances on Votes should be paid over to the Exchequer at the end of each financial year, and that in order to pay the expenditure of departments at the beginning of the financial year, before the miscellaneous Votes could be discussed, Votes on account should be taken. The course proposed by the Government was, therefore, in exact conformity with the recommendation of that Committee. At the same time, it would be perfectly open to the House to discuss at a later period the principle of every one of the services for which a Vote on account was proposed to be taken on the present occasion. He had never heard any hon. Member wheobjected to a Vote contend that his objection should have a retrospective effect, and that the service which had been performed before, and was being performed at the time the Vote was objected to, should not be paid for. With regard, for instance, to the British Museum and the National Gallery, more expense was necessarily going on. It was inevitable; and it must be defrayed up to the final Vote. That being so, no harm could be done by agreeing to the Vote on account which was now before the House.

Mr. TORRENS said, that no explanation having been given as to them, he moved that the Votes of £1,200 for the Commissioner of the Mixed Commission Courts, and £800 for the Arbitrator, be suspended until the Estimates be placed in the hands of the Members.

Whereupon Motion made, and Question proposed,

> "That the Item of £3,000, on account of Commissioners for Suppression of the Slave Trade, be reduced by the sum of £2,000."—(*Mr. Torrens.*)

Mr. LAYARD said, that without this Mixed Commission Court the slave trade would be revived in its original form, and we were bound to prevent this by existing treaties with Spain, Portugal, and the United States. While it was perfectly true that the duty of the Commissioner and the Arbitrator appeared very light, it was necessary that the Court of the Mixed Commission should be maintained as well as that of the Court of Admiralty. Other countries had similar courts, and they were necessary for the prevention of the slave trade. The Court of Admiralty could only confiscate the vessel, while the Court of the Mixed Commission could, in addition, punish the crew engaged in the slave trade.

Mr. TORRENS said, the Mixed Commission did nothing but draw their salaries. The entire work was done by the Court of Admiralty.

Lord ROBERT CECIL said, he wished to ask would that Amendment, if carried, preclude all discussion on prior items?

The CHAIRMAN said, after this Motion was put from the Chair, no discussion could be raised as to any previous item.

Lord ROBERT CECIL said, it was quite necessary to prevent this matter going further. The House had been told that these Votes on account were a mere form, but they now seemed very important in point of principle.

Mr. COX said, he quite agreed that this Vote on account was adopted in pursuance of the recommendation of the Committee. He thought it would be better to propose the Vote in a lump sum than in such a way as would preclude future discussion. He submitted that after what had been stated by the Chairman each item of the Vote ought to be put separately, so as to give the Committee an opportunity of objecting to any particular item.

The CHANCELLOR of the EXCHEQUER said, the course which had been adopted had been deliberately recommended to the House in a Report of a Select Committee, which received the general approval of the House. That Report distinctly stated that—

> "Votes on account are only to be applied to the payment of services which have received the sanction of the House in former years."

The hon. Member for Finsbury had asked, "Why not have a lump sum?" The Committee on that point said—

> "We are of opinion that this difficulty (the lateness of the Civil Estimates) may be overcome by taking one aggregate Vote upon account for such Civil Services as have been sanctioned by Parliament in the preceding Session, and in order to facilitate this practice it is recommended that all salaries for the last quarter shall be payable on the 31st of March in each year, and the amount thus made applicable to each separate Vote for Civil Services should be stated in the schedule and detached from the amount voted."

The course taken to-night was precisely in accordance with that recommendation of the Committee.

Mr. COX said, that the items should be put *seriatim* from the Chair.

The CHAIRMAN: It has never been the practice of the House to put the separate items to the Vote *seriatim*. It had always been the practice to propose the Vote, and then any Member may raise a discussion and make a Motion upon any individual item in that Vote.

Mr. F. S. POWELL said, he wished to ask whether it was the design of the Government in asking for this Vote on account to apply it exclusively to the payment of that which had fallen due this year to current expenditure as distinguished from extraordinary and incidental expenditure? With reference to the Science and Art Department, great doubts existed as to whether the sums applied by Government in that direction should be continued. He merely mentioned this as an illustration of the difference of opinion which existed.

The CHAIRMAN: The Motion before the Committee is, that the items for commission and arbitration for the suppression of the slave trade be reduced by £2,000, and the hon. Member must confine his observations to that subject.

Lord ROBERT CECIL: I object to the Vote being proceeded with. Because an hon. Member chooses to object to an item we are told that every other hon. Member is precluded from making any remarks with regard to previous items. I protest against that decision, as one limiting the just rights of the House of Commons.

The CHAIRMAN begged leave to read to the noble Lord the Resolution of the House of Commons upon which he had acted. That Resolution, agreed to on the 19th of February, 1858, stated that when a Motion was made in Committee of Supply to omit or reduce any item of a Vote, the question should be proposed from the Chair for omitting or reducing such item accordingly and the Member should speak to such question only until it had been decided.

Mr. AYRTON moved to report Progress.

The CHAIRMAN said, that another Resolution had been passed by the House at the same time with the Resolution he had just read—

> "Resolved, that after a question has been proposed from the Chair for omitting or reducing any item, no Motion shall be made or debate allowed on any preceding item."

Mr. HENLEY said, that according to the strict rule of the House, the Chairman was no doubt right in deciding that no question could be discussed excepting that which had been put from the Chair. But his hon. Friend (Mr. F. S. Powell) had merely alluded to the Vote for the Science and Art Department, not with a view of entering into the merits of that question, but as an illustration to show how inconvenient was this mode of taking Votes on account. If the mouths of Members were to be tied in this way, nothing in the shape of an illustration would be possible in such a case for the future. He thought the Chairman must have misunderstood the argument which his hon. Friend was using.

The CHAIRMAN said, he had hesitated for some time to stop the hon. Member, until it appeared to him that the hon. Member was discussing the item on its merits, and was not alluding to it as an illustration. Thereupon, in accordance with the rule of the House, he thought it his duty to stop that discussion.

Mr. TORRENS said, he wished to ask, whether he was at liberty to withdraw the Motion, in order to give hon. Members an opportunity of objecting to other items?

The CHAIRMAN said, it might be withdrawn with the permission of the House.

Motion, by leave, *withdrawn.*

Lord ROBERT CECIL said, he wished to ask, whether it could be withdrawn until the Motion for reporting Progress had been put from the Chair?

Mr. AYRTON said, he thought it would be irregular to withdraw the Motion until that for reporting Progress—which he had made and would now repeat—had been disposed of. The Resolution which had been read by the Chairman had no reference to the case before the House. This was not a single Vote in the sense of that Resolution. It was an Estimate showing the several services for which Votes on account were required for the year 1865-6. The Resolution read by the Chairman referred to the ordinary Votes, each of which was made up of several items. The ruling of the Chairman might lead to embarrassing consequences, and the subject was not one to be disposed of hastily at one o'clock in the morning.

Mr. F. S. POWELL said, that he was distinctly alluding to the Science and Art Vote as an illustration only.

The CHAIRMAN, interposing, said, that the Motion of the hon. Member (Mr. Torrens) was withdrawn.

Mr. TORRENS said, that his Motion had been withdrawn, and he had been ready to withdraw it if the House consented, provided he had the opportunity of bringing it forward again.

The CHAIRMAN said, he had put the question for the withdrawal of the Motion, and there being no dissentient voice, he had declared it withdrawn accordingly. The question now before the House was, that he report Progress.

Sir FRANCIS GOLDSMID said, that hon. Gentlemen opposite seemed determined to have a grievance. The Motion having been withdrawn, there was no reason for continuing the discussion.

Lord ROBERT CECIL said, that a series of decisions had just been given, most irregular in character, and entirely preventing the Committee from proceeding with any satisfactory discussion. It was, therefore, his intention, and that of his hon. Friends, to use the power possessed by a minority in such a case.

VISCOUNT PALMERSTON said, that if there was one principle more than any other which it was necessary the House should respect in conducting its debates, it was acquiescence in the decision of the Speaker or of the hon. Member who sat as Chairman of Committees. If decisions made and founded on recorded Resolutions of the House were to be controverted and discussed by every hon. Member who thought he knew better than the Speaker and the Chairman, and who was wiser than the Committees by whom these Resolutions were framed, the proceedings of the House would fall into perfect confusion, and they would present a spectacle not at all creditable to this Assembly. As to the objection taken by the hon. Member, the decision of the Chairman appeared to him perfectly consistent with the invariable practice and with the Resolution which had been read. The Vote proposed was a single Vote. Every single Vote referred to a great number of details which were stated in the Estimates, and therefore this Vote was exactly in the category to which the Resolution pointed. However, he really thought that the House was not in a temper to make it desirable to continue the discussion. It was quite evident that they were not disposed to come to a final decision that evening, and therefore instead of wasting their time in constant wrangling, he would suggest that the Motion for reporting Progress be agreed to, and he hoped they would meet in a calmer temper another evening.

To report Progress, and ask leave to sit again.

House *resumed.*

Resolutions to be reported *To-morrow.*

Committee also report Progress; to sit again on *Wednesday.*

ROADS AND BRIDGES (SCOTLAND) BILL.

On Motion of Lord ELCHO, Bill to provide for the management and maintenance of Turnpike and Statute Labour Roads and Bridges in Scotland, *ordered* to be brought in by Lord ELCHO, Sir GRAHAM MONTGOMERY, and Sir ROBERT ANSTRUTHER.

Bill *presented,* and read 1°. [Bill 101.]

COMMISSIONERS OF SUPPLY MEETINGS (SCOTLAND) BILL.

On Motion of Mr. FINLAY, Bill to authorise the alteration of the time for holding Statutory Meetings of Commissioners of Supply in Scotland, *ordered* to be brought in by Mr. FINLAY, Sir GRAHAM MONTGOMERY, and Sir WILLIAM SCOTT.

Bill *presented,* and read 1°. [Bill 102.]

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, April 4, 1865.

MINUTES.]—PUBLIC BILLS—*First Reading*—Small Benefices (Ireland) Act (1860) Amendment* (61).

Second Reading—Bank of Ireland* (19).

Committee—East India High Courts* (54).

Report—East India High Courts* (54).

Third Reading—Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation* (50); Marine Mutiny*; Mutiny*; and *passed.*

THE EPIDEMIC IN RUSSIA.—QUESTION.

THE BISHOP OF OXFORD desired to ask his noble Friend the Lord President of the Council, Whether the attention of the Government had been called to statements which had appeared in the public papers, and which had created considerable excitement in the public mind, as to an epidemic which was said to be raging in some parts of Russia, and to be rapidly advancing towards this country? This epidemic was represented as being of a most mysterious character, and seemed to be somewhat analogous in its fatality to the visitation of the cholera which had occurred within the lifetime of most of those present, and was represented as coming in almost a straight line from the Ural Mountains to this country. It had reached St. Petersburg, where its ravages were so great that the number of deaths was no longer officially stated, and had broken out in some parts of Prussia. He wished to know whether the Government had taken any steps in this matter?

EARL GRANVILLE said, that his noble Friend the Foreign Secretary had already given orders to the Consuls and our Ambassador in Russia to furnish all the information they could procure on the subject; and on that very day he had sent suggested questions to the Foreign Office in order that they might be telegraphed to our representatives not only in Russia but in the Baltic ports, and that replies might be received as soon as possible.

PUBLIC SCHOOLS BILL.—PETITIONS.

THE MARQUESS OF SALISBURY, in *presenting* a petition from the Inhabitants of Harrow-on-the-Hill, praying to be heard by counsel against the Bill, said, he desired to remind their Lordships that Harrow School was founded in the time of Elizabeth, by John Lyon, who left certain portions of estates to be invested under the patronage of the Crown for the purpose of educating the sons of poor and respectable inhabitants of Harrow, and other portions for the repairs of the roads in the neighbourhood. The School flourished for a long time, but at last the trustees seemed suddenly to have gone to sleep, for they allowed an Act of Parliament to be passed which alienated a considerable portion of the proceeds of the estates from their original objects. The part which now remained to Harrow amounted to the sum of about £1,600 a year, and he was informed that its value was rapidly increasing with the spread of the metropolis. The foundationers, though always kept up to an average number, had not of late derived all the advantages to which they were entitled under the will of John Lyon. But though they had not received the full benefit which they had a right to expect, yet the natural result of the endowment was to induce many people to reside at Harrow for the purpose of educating their children. Now, however, it appeared that the Commissioners thought it desirable that there should be but one class of boys educated in the School; but the petitioners were anxious that poor parents should still have the same opportunity of educating their children as before. This Bill contained a most extraordinary clause by virtue of which at the end of ten years the foundationers should altogether cease, and thus the intention of John Lyon would be entirely disregarded. The clause to which he referred was the 20th, by which it was provided that the privilege of free education at Harrow School, and the right of preference in elections to John Lyon's scholarships, which were given by the statutes of the founder to children of the inhabitants of the parish of Harrow, should cease, except in cases of persons residing in the parish at the time of the passing of the Act, in which case the children of such parents born within ten years after the passing of the Act should be entitled in the same manner as if the Act had not passed. As there was an apparent discrepancy between the figures quoted by the noble Earl (the Earl of Clarendon) and those supplied to himself by a deputation from Harrow, he would read an extract from a letter which he had received in explanation—

> "The Founder's property consists of the buildings immediately connected with the school, consisting of the two schoolhouses, chapel, library, master's house, racket and five courts, cricket ground, &c., and £1,100 per annum derived from the rental of real estate. All the school buildings are appropriated to the use of the whole school, boarders as well as foundationers. The £1,100 a year is expended in keeping in repair, lighting, warming, and otherwise maintaining the buildings, and providing other necessaries for school purposes, and in exhibitions to the Universities. These matters provided for (some of the particulars of which appear in the Report of the Commissioners), there would probably remain not more than the surplus mentioned by Lord Clarendon."

The petitioners prayed that their Lordships would refer the Bill to a Select Committee; and the case of Harrow seemed to him so strong that he trusted the noble Earl would consent to this course, and give the parties interested the fullest opportunity of showing the injustice that was about to be perpetrated by the measure.

The Earl of CLARENDON said, that Her Majesty's Government had no objection to refer the Bill to a Select Committee. He could not give the noble Earl opposite an answer last night without consulting his Colleagues. It would, however, he trusted, be understood that the Select Committee was to be appointed with the *bonâ fide* intention of examining the Bill, and not with the design of delaying its progress.

The Earl of MALMESBURY, after expressing his gratification at the announcement of the noble Earl, said, that so far as he knew, there was no desire to delay the progress of the Bill in Select Committee.

The Earl of ELLENBOROUGH said, he had a petition to present from the inhabitants of Rugby, of a similar nature to that presented by the noble Marquess, but it asked not only that the Bill be referred to a Select Committee, but also that they may be heard before that Select Committee by their counsel. Nor did he see how, on considerations of justice, their Lordships could refuse the prayer of the petition. The injuries that the petitioners would suffer from the operation of the Bill would be very great, and those injuries not being of a general (which was usually the reason given for not hearing counsel against a public Bill), but of a private nature, they were entitled to be heard by counsel. These petitioners were the inhabitants of Rugby and the adjacent parts, and they had a special interest in the Rugby School. That School was founded by Lawrence Shirreff, in 1576. It was founded as a free grammar school, and the direction of Lawrence Shirreff was that it was to be built in a convenient locality and placed under the direction of a Master of Arts, "an honest, discreet, and learned man, for ever." For the purpose of maintaining this School, he left property in London, which has become very valuable, and some property in Rugby. In 1777 an Act of Parliament was passed which defined the limits within which the inhabitants should be entitled to the privileges of the School, those limits being a distance of five measured miles of Rugby. By a decree of the Court of Chancery, in 1780, those limits were extended to ten miles on the side of Warwickshire. The School prospered greatly, and the privilege of sending a boy to the School had become of great value. The School extended itself under trustees practically similar to those created in the first instance in the year 1602—namely, a dozen country gentlemen residing in Rugby and the neighbourhood. These gentlemen had so well executed the trusts confided to them, that the School of Rugby was now considered almost as the model School of this country. It had been in advance of others, and for a number of years it had been placed under a succession of distinguished men as Head Masters. The management of these country gentlemen had been such as not to interfere with the action of the Head Masters, and consequently that had been done at Rugby by a succession of good Head Masters which was effected in States under a succession of good Governors. The School had prospered, and had become what it is. It had, he believed, at the present moment, nearly 500 boys. By four Acts of Parliament, or some of them, and the decrees of the Court of Chancery resting on those Acts of Parliament, the trustees had sufficient power to rectify anything which might appear wrong, and thus the School had within itself the means of reform, so that the value of the privilege of sending boys to the School was very great. He saw that one gentleman, Mr. Caldecott, whom he recollected as one of the most distinguished civil officers of the East India Company, stated at a meeting that was held on this Bill, that he and five brothers had enjoyed the benefit of this School, that he was there nine years, and that when he left his father told him that the charge of his education, so far as the School was concerned, did not exceed £100. He saw that another gentleman, of the name of Sale, stated that he had had seven sons at the School. The benefit to each of these gentlemen in the education of their sons sent gratuitously to the School at Rugby could not be less than from £500 to £600. This privilege of sending their sons to the School was, therefore, a valuable property; and the inhabitants of Rugby held that property by a deed of great antiquity; they had possessed it undisturbed for very nearly 300 years. It had been recognized by successive Acts of Parliament, and regulated by successive decrees of the Court of Chancery under these Acts of Parliament, yet valuable as it was, it was now proposed by this Bill, without their being heard, to take it at once from some, and in a few years from all, and that without the slightest compensation. It was proposed by the Bill at once to disfranchise all who were beyond the limits of five miles from Rugby, and all within these limits who were born after ten years from the passing of the Act. He knew not what property could be held to be secure if a property resting on deed, on antiquity of possession, on successive Acts of Parliament and decrees of the Court of Chancery for 300 years, was yet to be violated by an Act of Parliament without hearing the persons interested, in order to carry out some fanciful scheme. He trusted that their Lordships would take a very different view of the rights of these persons from that which was taken by those who had promoted this Bill. He was quite aware that there were persons who, for the purpose of obtaining the benefit of this privilege, had established themselves as sojourners within the limits of the foundation; but their right was as good in law as the right of those who were born to the privilege. Lord Langdale had distinctly declared that the children residing within the boundary were to be considered as children of Rugby, and that they had as good right to all the privileges of the school as any person born within the privileged limits. The right existed, and whatever right they might have by law, the law would preserve to them. He confessed that he felt very deeply interested in this measure. His father had his education at the foundation of the Charterhouse; at that time his grandfather was a clergyman with very limited means indeed, and it would have been perfectly impossible for him to give to his sons that education through which, or at least assisted by which, one rose to be

Chief Justice, two to be Bishops, and the others to take important positions in their respective professions, unless he had been able to avail himself of the advantages which that foundation afforded. His grandfather, the Bishop of Carlisle, had himself been educated in the same way in a free school. He (the Earl of Ellenborough) considered his family to be the creatures of free education, and he was resolved as far as he could to retain for others the benefits to which his family owed their prosperity. If it should be necessary—but he trusted it would not—he should move that the petitioners be heard by counsel against the Bill.

The Archbishop of CANTERBURY said, he was afraid that some observations he made upon that subject the other evening had been misunderstood. In the statement he had made with respect to Harrow he had not intended to give expression to the opinions of the inhabitants of that town, but had merely declared what were his own impressions in reference to that question.

The Earl of POWIS *presented* a petition from the Master, Fellows, and Scholars of St. John's College, Cambridge, against those provisions of the Bill by which their connection with certain public schools would cease, and praying to be heard by counsel against the Bill.

Lord LYTTELTON said, he hoped the prayer of the petitioners would be heard by counsel and would be granted. It was clear to him that a Select Committee was inevitable; but, looking to the state of business in the other House of Parliament, he felt great doubt whether the effect would not be to postpone the Bill for another year. When Bills affected the rights of individuals, and they desired to be heard by counsel, it was very seldom that such an application was refused. If the Commissioners had in any instance omitted to give a due hearing to interested parties, those parties would naturally be the more anxious to make their case known to Parliament. He desired to point out on the part of the Commissioners that they recommended that the privileges enjoyed by those who had a vested interest should be retained for a longer time than that set forth in the Bill, and he thought a longer period should be adopted.

Petitions severally ordered to lie on the table.

House adjourned at Six o'clock, till Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, April 4, 1865.

The House met, and Forty Members not being present at Four o'clock, Mr. Speaker adjourned the House till to-morrow.

HOUSE OF COMMONS,

Wednesday, April 5, 1865.

MINUTES.] — New Writ Issued—For Salop (Southern Division) *v.* Viscount Newport now Earl of Bradford.

Supply—*considered in Committee* — Resolutions [April 3] *reported.*

Public Bills—*Resolutions in Committee*—Court of Chancery (Ireland) [Salary, Retired Allowances, and Stamps.]

Ordered—Commissioners of Supply (Scotland).*

First Reading—Commissioners of Supply (Scotland)* [104].

Second Reading—Tories, Robbers, and Rapparees (Ireland) [95]; Locomotives on Roads* [63].

Committee — Land Debentures (Ireland) (*re-comm.*) [80]—r.p.; Metropolitan Houseless Poor [83].

Report—Metropolitan Houseless Poor * [83].

Third Reading—Inclosure * [89], and *passed*

LAND DEBENTURES (IRELAND) (*re-committed*) BILL—[Bill 80.]

COMMITTEE.

Order for Committee read.

The ATTORNEY GENERAL said, that he desired it to be understood that in consenting that the Bill should pass through Committee receiving appropriate Amendments, he distinctly reserved to himself and the Government the right to take any course at a later stage of the present Bill, as well as of other Bills with a similar object, which might seem to be right. The Bills involved very important principles, and it was for the House to consider how far it would be contrary to the course hitherto pursued—with respect to Irish legislation especially—to give Parliamentary facilities for the re-creation of encumbrances on land. The next point to which the attention of the House ought to be directed, was the question how far it was expedient to give the appearance of an especial Parliamentary security to mortgages on land by means of debentures, which might be created at common law without such security. Another important point was the question of value in regard to the proposed debentures. If the appearance of a Parliamentary security was given, it would be perfectly delusive, unless the debentures were represented by a sufficient value in land; but there was great danger that the powers created by the Bill might be made the means of fraud. He hoped that that point would be taken into due consideration. Three Bills had been introduced in reference to this subject; and a considerable number of persons thought that, on the whole, it would be of advantage if greater facilities were afforded for raising money on land with proper securities. Under these circumstances it had been thought right to allow the Bills to be referred to a Select Committee, and the form in which the Bills had been returned to the House, showed that some care had been bestowed on them. It, therefore, appeared to the Government that it would not be an improper course, if it were only out of deference to the judgment of the Select Committee and for the sake of many persons who took an interest in the measures, to permit them to go through a Committee of the whole House, the Government reserving to themselves the full right to oppose the Bills, if it should seem desirable to do so, at some future stage.

MR. HENLEY said, he was glad that the House had received an assurance that these Bills, which were important either for good or evil, would have the consideration of the Government, and he desired it to be understood that if they were passed the adoption of them would be upon the responsibility of the Government. When they were brought in he had called the attention of the House to what he feared might be the *quasi*-character of security given to the debentures by mixing them up, as proposed in one of the Bills, with a Government Office. Many persons at present believed that a security attached to the debentures which in reality they did not possess. He hoped that point would receive the consideration of the Government.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 6 *agreed to.*

Clause 7 (Owner of Land may issue Debentures with sanction of Court.)

THE ATTORNEY GENERAL said, that by the Bill the Landed Estates Court was to examine the title to the land on which the debentures were to be charged, and also to ascertain that since the granting of the certificate no persons had acquired rights which would be injuriously affected by the debentures. The common seal of the Court was then to be put on the debentures, and the seventh clause concluded with these words —

> "The seal of the Court shall be conclusive proof of the validity of the debenture to or upon which such seal shall be affixed or impressed."

He felt some apprehension that those words would have a misleading effect, for though they did not give a Parliamentary title they might seem to some persons to have that effect, and he was inclined to suggest that those words should be omitted.

MR. SCULLY said, he had at first intended to move the omission of the clause, and that another should be substituted. But he would suggest that to the words "common seal" should be added "special seal," a course approved of by Judge Longfield, to whom he had sent a copy of the Bill as it came from the Select Committee.

THE ATTORNEY GENERAL said he could not agree to the suggestion of the hon. and learned Gentleman. He would move the omission of the words "by its common seal, and also by the signature of such Judge or Officer" after "shall be signified," in order to insert "in such manner as the Court may by any general order authorize for such purpose."

Amendment *agreed to.*

Clause *agreed to.*

Clause 8 (Form and Effect of Debentures.)

Clause amended, and *agreed to.*

Clause 9 (Transfer of Debentures.)

THE ATTORNEY GENERAL said, the clause provided that there should be two modes of transferring these debentures; the one by memorandum, entered in the books of the Court; the other by indorsement of the transferee. He objected to the second of these modes of transfer, and proposed that the words authorizing it should be struck out.

MR. SCULLY said, he had previously proposed a third mode of transfer in addition to the two now contained in the clause, and that third mode was by delivery, like a bank note; but as the Select Committee would not agree to it, he had to give it up. He supposed he must also give up the second mode—namely, by indorsement, as the Attorney General would not assent to it; but he believed its omission would be mischievous. For his own part, he did not see why these debentures should not pass by delivery, like a bank note; but, probably, the Chancellor of the Exchequer might object to that, as introducing a new kind of currency.

Mr. DARBY GRIFFITH counselled caution in that matter, and thought the hon. Member (Mr. Scully) would exercise a wise discretion in acceding to the proposal of the Attorney General.

Words *struck out.*

Clause, as amended, *agreed to.*

Clause 10 (Coupons), *agreed to.*

Clause 11 (Debentures on Unincumbered Land.)

The ATTORNEY GENERAL said, this clause, which was the most important of the Bill, provided that in the case of unencumbered land no debenture or debentures should be charged upon the land for more than ten times what might appear to the Court to be the yearly value of the land, having regard to any lease or other matter affecting it; nor was the annual amount of interest reserved on any debenture to exceed one-half of what might appear to the Court to be its yearly value. Now, how was the Court to ascertain the value of the land? There was no machinery for doing so supplied by the Bill. He had no faith in Court valuations. The Court, which in such matters had no knowledge of its own, must place confidence in other persons, such as surveyors and professional valuers, who, he was sorry to say, were certainly not infallible and not always honest. They could never be sure that the margin they proposed to leave really existed. This was the clause in regard to which his great objection to that scheme mainly turned. What he disliked and distrusted in all Bills of that kind—although he did not think it belonged to his department to take the whole responsibility of opposing a considerable opinion entertained in favour of that experiment—was that a great number of simple people in the country might be led by the machinery of these measures, by the intervention of the Court, and all the other forms, to suppose that they need not look narrowly into the title or the value of the property on the security of which they lent their money, and that great losses and, perhaps, frauds might occur. The limit of one-half, the yearly value fixed by the clause, appeared very fair, provided they could be quite sure that that amount would be *bonâ fide* ascertained; but there was no machinery in the Bill for ascertaining it.

Colonel DUNNE concurred in the objections taken by the Attorney General to the principle of these Bills, and thought their provisions required very careful watching.

Mr. POLLARD-URQUHART believed that the public valuation of land in Ireland was based on sound principles, and would admirably answer all the purposes required by the present Bill. It was from 10 to 20 per cent under the real value.

Mr. SCULLY allowed that this clause contained the whole essence and marrow of the Bill. However, his intimate acquaintance with the transfer of land in Ireland enabled him to state that he had every confidence in the valuations of the Landed Estates Court, the Judges of which were practical men, with every appliance at their command. In a letter which he had recently received from Judge Longfield, that learned Judge expressed a hope that he would insist on the principle of valuation by the Court, otherwise the Bill would be of little value. The writer saw no substitute for such a system of valuation, and did not believe that the public would have any confidence in any valuation by a person selected by the owner himself. That a public valuation was a safe standard of value was proved by the experience of other countries. In Poland the limit of three-fifths was adopted, whereas the present Bill took only one-half. In Hamburg and Frankfort the limit was one-half, with a guarantee of the title by the State. In Belgium, Lombardy, parts of Germany, and Switzerland, public valuations were also used to measure loans on land; and in Ireland they had a uniform Government valuation, which regulated all rates on land, such as poor rates, income tax, &c. He had tried to keep down the limit as low as possible, so that the debenture should be almost cash, and he gave no Government guarantee, which was expressly negatived by the 30th clause, providing that under no circumstances should the holder of a debenture have any claim on the Court or on the public funds in respect of any mistake or omission relating to the value of title to any estate or otherwise.

The ATTORNEY GENERAL said, the explanation elicited in the course of that discussion as to the public valuation of lands in Ireland seemed to be important; but there was not a word about that valuation in the Bill. He proposed, therefore, to add to the clause, as an additional security, these words, "Not exceeding in any case the value fixed by the public valuation of lands in Ireland."

MR. SCULLY hoped the hon. and learned Gentleman would not insist on that alteration, which would cut down the Bill much too far. In many cases the public valuation in Ireland was far too low, and no one would dream of dealing with land merely on that valuation.

THE ATTORNEY GENERAL said, he had proposed the words in order to get out of the region of mere speculative values, and he must express some surprise, after the course which the discussion had taken, that any one should object to such an Amendment.

MR. SCULLY supposed he must submit if the hon. and learned Gentleman persevered, but if this alteration were now made a Bill would have to be introduced before long to get rid of it.

MR. KER suggested that, as a general rule, the Government valuation might be taken, subject, however, to certain exceptions, within the discretion of the Court.

COLONEL DUNNE thought it would be much safer to adopt the Government valuation than to leave the matter to the Court.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 12 to 30, inclusive, *agreed to.*

Clauses 31 and 32 *postponed.*

House *resumed.*

Committee report Progress; to sit again on *Friday.*

TORIES, ROBBERS, AND RAPPAREES (IRELAND) BILL—[BILL 95.]

SECOND READING.

Order for Second Reading read.

THE O'DONOGHUE, in moving the second reading of this Bill, said, it was intended to repeal an Act of Queen Anne, under which poor people in Ireland were sentenced to penal servitude for the offence of vagrancy. The Act of Anne was intended to deal with a state of things which no longer existed, and had often been made an instrument of oppression. He hoped the Government would not object to the second reading. Should any discussion be thought desirable it might be taken on going into Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The O'Donoghue.*)

SIR ROBERT PEEL said, he had no objection to the Bill being read a second time on the understanding that in Committee a discussion would be taken on various points arising on the wording of the first clause. The first clause proposed to repeal not only the Act of Queen Anne, but also "the several Acts amending and continuing the same." This he thought too extensive; but that was a question which would be best considered in Committee. He would only add that it was hardly correct to say that under the statute of Anne poor persons were committed to penal servitude for vagrancy. He did not defend the Act of Anne; but it should be known that the man who was convicted at Kilkenny had been going about the country causing the greatest possible disturbance and distress to the poor, not merely asking for alms as a pauper, but threatening to quarter himself on the poor farmers whom he intimidated, often burning down their stacks or homesteads if they refused compliance with his demands.

MR. GEORGE said, he was ready to assent to the Motion for the second reading of the Bill, upon the understanding that it should be open to discussion on the Motion for going into Committee. He believed that some misapprehension prevailed with respect to the existing state of the law. There were three Acts which related to this subject—the Act of 6th of Queen Anne, in which the words "Tories, Robbers, and Rapparees" were introduced; the Act of the 2nd of George II., with respect to which some doubt had arisen whether it continued that of Queen Anne; and the 31st George III., chapter 44, which continued not only the Act of Anne, but many other most useful Acts, which no one wished to see repealed. The first clause of the present Bill would, however, under the words "the several Acts amending and continuing the same" repeal all those Acts, and so far it should be considered wholly inadmissible. It was under the Act 31st George III. that presentations before the grand jury took place, and however absurd the thing might seem to be in these days, it had worked very beneficially in many instances. There were and had always been in Ireland, a number of idle vagabonds prowling about the country, without any visible means of subsistence, who were found, not only "coshering," but intimidating farmers to give them supplies, and it was in the prosecution of this class of offenders that the Act was found convenient. At the same time it was too harsh and peremptory for ordinary cases of vagrancy, and if the Act were repealed the Law Officers in Ireland should be consulted to see whether some available substitute could not be provided for the protection of farmers and the industrious classes in Ireland against this class of offenders.

Colonel DUNNE thought that legislation of this kind was not conducted in a manner sufficiently careful—when it proposed to repeal existing Acts of Parliament they ought to be careful to have those Acts before them and know what they meant. It seemed absurd to him to talk of taking action against "Tories, Rapparees, and Robbers." There are not in Ireland such things as "Tories." He did not think that at this day there was such a thing as a Tory to be found even in that House. Originally, "Tories" were disbanded soldiers in Ireland, who lived a very irregular life, at least were said to do so by their enemies, and the name was finally given to the Royal party; just as the "Whigs" in Scotland did, who were opponents of the Government, and gave their names to the democratic party. Nothing but the fantastic name of the Bill—"Tories, Robbers, and Rapparees"—had called attention to it. The Bill seemed to be a remnant of the old penal laws, and as such objectionable; but as there were no other objects, it seemed now to have been exercised as a law against vagrants, and the case mentioned by the hon. Member, against a notorious and incorrigible thief. If it were necessary to deal with the subject of vagrancy let a proper Act be introduced upon the subject. He hoped that at a future stage of the Bill a further explanation of the objects of the Bill would be given to the House.

Colonel FRENCH observed, that presentments to the grand jury under this Act were made, not in cases where the parties accused had merely threatened, but had actually committed, malicious injuries. If the Act was repealed, something should be done to suppress this class of offenders who were very common in the rural districts of Ireland.

Mr. SCULLY said, he would not object to the second reading of the Bill; but it would require to be considerably altered in Committee. The Act of Anne being to continue only for seven years, had died a natural death; but a subsequent Act, which was not alluded to in this Bill, had set it on its legs again. The 6th of Anne was only one of the penal enactments affecting Ireland, each being more cruel than its predecessor. The same year, what was called the Registering Act was passed for the discovery of the estates of Papists and handing them over to the Protestants, or for the benefit of the Established Church. A great number of Irish gentlemen were in this way deprived of their estates. They were left without a shilling to live upon; and being much respected in their localities, and not able to get out of the country, they were obliged to go among their former tenants, getting from them what scanty subsistence they could. This was the origin of this Act of Anne—to extirpate "such as pretended to be Irish gentlemen."

Motion *agreed to.*

Bill read 2°, and committed for *Friday,* 28th April.

METROPOLITAN HOUSELESS POOR BILL—[Bill 83.]—COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Provisions of 27 & 28 *Vict.,* c. 116. extended to Michaelmas and Lady Day next.)

Mr. C. P. VILLIERS stated that the noble Lord the Member for Stamford (Lord Robert Cecil) had given notice of an important Amendment to this clause, and, as he was not present, he should move that the clause be in the meantime postponed.

Clause *postponed.*

Clause 2 *agreed to.*

Clauses 3 and 5 *agreed to.*

Mr. C. P. VILLIERS moved to insert after Clause 3 the following clause:—

"Any constable of the Metropolitan Police, or of the Police of the City of London, may personally conduct any destitute wayfarer, wanderer, or foundling, not having committed or being charged with any offence punishable by law within the knowledge of such constable, to any wards or other places of reception approved of by the Poor Law Board under the said Act or this Act; and every such wayfarer, wanderer, or foundling shall, if there be room in such wards or other places of reception, be temporarily relieved therein."

Motion made, and Question proposed, "That this clause be added to the Bill."—(*Mr. C. P. Villiers.*)

Mr. BROMLEY said, he should not object to the insertion of the right hon. Gentleman's clause if the following, of which he (Mr. Bromley) had given notice, was also added:—

"That, from the passing of this Act, every

Police Station within the Metropolitan district shall be constituted an office for the issuing of orders of admission for destitute persons requiring the same, into the casual ward of the workhouse of the district in which the said Police Station is situated."

He had only these objections to the new clause proposed by the right hon. Gentleman —first, that it was not imperative enough in requiring the police to interfere in the case of both vagrants and destitute persons; next, that in conveying the poor person to the workhouse or other place where relief was to administered there would be an unnecessary loss of time by the police by which the public might suffer. He preferred the system now adopted in the Strand Union — namely, that of issuing at the Police Station tickets which the casual pauper took to the workhouse; and when a particular ward was full, the Inspector of Police was made acquainted with the fact, and any further applicants were sent to the relieving officer, who was bound to provide accommodation for them. He saw no reason why the clause of which he had given notice should not be appended, and if the right hon. Gentleman was prepared to admit it, he would not offer any opposition to the clause which the right hon. Gentleman had proposed.

Moved, "That those words be added to the clause."—(*Mr. Bromley.*)

Mr. NEATE said, it was not clearly shown by the Bill whether, when the police officers took destitute persons to the relieving officer, they would certainly be relieved. There should be no doubt left on that point.

Mr. C. P. VILLIERS said, that the clause which he had proposed would have the effect of giving the police full authority, after inquiry, to take any person in distress to an asylum provided for the relief of vagrants. The clause had been well considered, and he had communicated with the head of the police on the subject, and he considered the clause made ample provision for the objects in view. When a policeman conducted a vagrant to the workhouse the authorities of that establishment would have no power to refuse the destitute person admittance — it was imperative on them to admit him, because he had been brought there by the police. With respect to the doubt expressed by the hon. Member for Oxford, the words "other places of reception" made it clear that the workhouse authorities were under the obligation to relieve persons said to be destitute whether there was room in their wards or not, and they must either find room in the workhouse itself or provide it in some other place. With respect to the clause proposed by the hon. Member for North Warwickshire (Mr. Bromley), he had the authority of the Police Commissioners for saying that it was not really necessary. The Poor Law Guardians could now make all the arrangements requisite to carry out the objects of that clause, and the Guardians of the Strand Union had shown an instance of this. Sir Richard Mayne had given notice that he was perfectly ready to place constables at the disposal of each Board of Guardians as soon as they thought fit to avail themselves of their services. Those who would apply for relief would be examined and would then receive orders to be presented at the workhouse. In the case of the Strand Union, Sir Richard Mayne placed three constables at the disposal of the Guardians, and all the other authorities might make the same arrangements. There was, therefore, not the slightest necessity for legislation on this point. If it were compulsory to have three constables placed at every station for the relief of vagrants, it would entail a considerable expense, and render necessary an addition to the police force, and consequently to the police rates. The Boards of Guardians had, with one exception, professed themselves willing to provide all the necessary accommodation for vagrants, and the only reason why that accommodation was not more largely provided previously was, as the Guardians had stated, the temporary character of the Bill which was introduced last year. The Guardians were in doubt as to what their position would be after the 25th of March. In some places wards had been completed and ample provision made for the reception of vagrants in future. It must be remembered that the places where destitute persons went to be relieved were not the police stations, but the workhouses, and it would be much more convenient for destitute persons to go to the workhouses at once with a policeman than to go first to the police station and there obtain an order and afterwards have to travel to the relief ward. At the workhouses, too, persons were obliged to sit up all night in order to provide for the wants of the destitute persons who might be brought there by the police. As the clause proposed by the hon. Member was unnecessary, he recommended him not to press it.

Mr. HENLEY desired to know how far it was necessary to have the proposed addition made to the clause; and also whether the right hon. Gentleman had added to the clause the words "destitute persons," which he (Mr. Henley) privately suggested to him; and for this reason the object of the Bill was to take care that persons destitute in the streets of London at night should not perish, and that any neglect that should occur might be readily traceable to the person really culpable. As the clause of the right hon. Gentleman was now drawn, the first inquiry must be whether the person found destitute was a wayfarer, a wanderer, or a foundling. Now, it would not be very easy in the case of a man sixty or seventy years of age destitute in the streets for the police to ascertain if he really were a foundling; and the proof of what was a wanderer might also be a matter of some difficulty. The next question was whether he was a wayfarer, and as to this there might be a difference of opinion. Now, if the man were not one of those three things no person would be to blame for not taking him to one of the places provided under the Bill, or for not receiving him when he was so taken. But if the right hon. Gentleman would consent to the introduction of the words "destitute persons" as he (Mr. Henley) had suggested, that would meet everything. He understood that the right hon. Gentleman was willing to make that alteration. He now wished to call the attention of the Committee to the places to which vagrants were taken, which was a matter of some consequence. A Return had been lately circulated giving a minute and particular description of the places provided by the different unions for their reception. In the main, the accommodation provided appeared to be sufficient and reasonable; but there were, he was bound to say, three strange exceptions to the rule, and he was rather astonished at their having escaped the lynx eye of the Poor Law Board. The exceptions to which he alluded were Paddington, Rotherhithe, and St. George's, Southwark. Paddington was one of those unions which generally provided the most liberal accommodation for the poor of any of the unions, and yet the accommodation they provided for the houseless poor appeared to have escaped the notice of the Poor Law Board, notwithstanding that their attention had been called by Mr. Farnall to the circumstance that upon one occasion one man more was received into the Paddington Union than the ward was calculated to accommodate. The accommodation in that union was about at the rate of 360 cubic feet for each poor person to be admitted, and therefore an additional person, being thirteen instead of twelve, would not be any great matter; but still attention had been directed to it by a note in Mr. Farnall's Report. In the two other unions, however, which he had mentioned, the provision was very much smaller. In Rotherhithe the area of accommodation was described in one of the wards as about 21 ft. 4 in. superficial measurement; the height about 7 ft. 6 in., and the authorities stated that it was capable of accommodating two persons. Now, let the Committee consider what that accommodation was. The table of the House was about 5 ft. 1 in. high; so that, under a place such as that, with their heads touching one wall and their feet another, two women were supposed to be accommodated, and the width they would have would be about, at the outside, somewhere between 1 ft. 9 in., or 1 ft. 10 in. each person. The women would have to double their legs up, like the unfortunate man Daley, who died, and where their knees would have to go did not appear. Taking the height, the cubical feet, therefore, for two women would be about 80 feet each in which to pass the night. That appeared to him to be a matter of great and serious consequence, because by law they were very rarely permitted to confine prisoners in less than between 600 and 700 cubic feet for each prisoner. The Rotherhithe accommodation, therefore, was, to say the least of it, very queer, especially when they considered that the tax was imposed upon the whole area of the metropolis, which was a very rich fund to draw from. He found by the Return that on the 24th January eleven women were accommodated in the different wards in Rotherhithe, with about 71 cubic feet for each person; so that these people had to lie in a space about 5 ft. 1 in. long, which was not certainly above the average height of a woman, and about 1 ft. 9 in. wide. That, he considered, was rather narrow, and closer than people were packed in an omnibus. They used to hear of fat and thin sixpennyworths in an omnibus, and it seemed to him that this accommodation was very insufficient. The area of the wards in St. George's, Southwark, was 178 ft. 6 in., the length about 8 ft. 6 in., giving 1,517 cubic feet for twenty women, or about 75 ft. for each woman. He, therefore, asked upon what grounds such a state of things could be justified. On one night he found that fifteen women slept in St. George's, and he should like the problem to be submitted by the Civil Service Commissioners. If fifteen women were lying down on this space of 35 ft. by 5 ft., and five more came in afterwards and laid down upon them, what time it would require for the additional five women to find their way to the ground—because the fifteen must have been touching each other before the other five were admitted. They must lie upon each other like candles in a shop window. He hoped the right hon. Gentleman would be able to give the Committee some information—because it was useless to pass a measure of this kind unless there was some prospect that the poor persons who were taken to the unions would receive that provision which might save them from perishing from want. There was no information how these persons were treated. Whether they were stripped and had to lie naked in heaps, or how they were managed, but he thought it was very unlikely, except under extraordinary pressure, that any person would go to them a second time. The accommodation should be such that it could not fairly be complained of, and he hoped the right hon. Gentleman would be able to assure the Committee there must be some mistake about the matter, and that it had been remedied. At all events, it disclosed a state of things which, to say the least of it, was not satisfactory.

Mr. C. P. VILLIERS said, he was quite willing to accept the suggestion of the right hon. Gentleman to insert the words "other destitute persons" after the words "wayfarer, wanderer." With respect to the parishes which had been referred to, where it was considered adequate provision had not been made, he (Mr. C. P. Villiers) thought the figures in the Return were quite correct, and he was glad the subject had been introduced. He had observed the inadequacy of the provision made in these parishes when the Returns were published, and it was asked what power there was of compelling any parish to provide better accommodation. The answer was that those places which did not make sufficient provision would not be certified as having complied with the Act, and therefore would not be reimbursed for any expenses incurred. There were three parishes that had not been certified in consequence of their not having made adequate provision for vagrants; and two of these were St. George's, Southwark, and Rotherhithe. The accommodation in some of these places was better than it was before. An imperfect attempt had been made to meet what was considered necessary, and it was thought by one parish that when all the other parishes were making enlarged provisions, that particular parish would not have so many applications from vagrants. There had not been any unwillingness on the part of any of the parishes to make ample provision. He (Mr. C. P. Villiers) believed that withholding the certificate would be the best means of securing the adequate accommodation. He could assure the right hon. Gentleman (Mr. Henley) that the figures had not escaped his notice.

Mr. HENLEY: If the right hon. Gentleman said that a place which gave seventy cubic feet for a human being to sleep in was better than under a former state of things before the passing of this Act, he thought it was not a revelation of a very creditable state of things. It was like putting two persons in one coffin to confine them to a space of seventy cubical feet. It was quite clear that poor people would die in the streets sooner than be confined in such places.

Mr. C. P. VILLIERS: Before the passing of this Act, in many parishes there were no vagrant wards at all, and in some of the rich parishes boards were put up to say there was no admittance. As to the seventy cubic feet of space, there must be some mistake. At Rotherhithe the space was ninety feet, the height being seven feet six inches; in the other parishes it was 109. However, difficulties in the way of providing these refuges had now been removed.

Amendment (Mr. Bromley) *withdrawn.*

Clause amended by inserting the words "or other destitute person."—*Mr. Henley.*)

Motion made, and Question proposed, "That the Clause, as amended, be added to the Bill."

Mr. BROMLEY then formally moved his Amendment, stating that he had also been in communication with the police, who had stated to him that their decided opinion was that the clause of the right hon. Gentleman (Mr. C. P. Villiers) was not stringent enough, and would be practically inefficient, and that it would not only entail a great loss of time on the constable, but also a great loss of protection to the public; that the system of issuing orders for relief by ticket was far better. He should not, however, feel justified in pressing his Amendment, but he hoped the right hon. Gentleman would embody some portion of it in his clause.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Mr. C. P. VILLIERS said, there was a clause of which the noble Lord the Member for Stamford (Lord Robert Cecil) had given notice, and to which there was no objection, and he (Mr. C. P. Villiers) would therefore move, in the noble Lord's absence, that the clause be added with an alteration rendered necessary by the Amendment which had just been made in the preceding clause. The clause would, therefore, run thus—

> "The Guardians of every union or parish referred to in the said Act shall admit without delay, either to the workhouse or to the wards or places of reception provided under the said Act, every poor and other destitute person who shall apply to be admitted during the hours between six o'clock in the evening and eight in the morning in the months between October and March inclusive, and during the hours between eight o'clock in the evening and eight o'clock in the morning in the months between April and September inclusive, and who shall not have applied in the same parish during thirty days previously; and the Guardians shall cause to be furnished to every poor person so admitted such relief under such conditions as the Poor Law Board, under general order, shall direct."

Clause *ordered* to stand part of the Bill.

Clause 1 (Provisions of 27 & 28 *Vict.* c. 116 Extended to Michaelmas and Lady Day next.)

Mr. AYRTON rose to move an Amendment the effect of which would be to make the provisions of the Bill permanent. As long as the Bill was known to be temporary only, he did not believe that the different Boards of Guardians would take any trouble or care to go to the expense which would necessarily be caused by carrying out the provisions of the measure. No doubt the condition of many of the wards was unsatisfactory, but the object of the Bill would certainly not be thoroughly attained unless the Bill were made permanent. They must bear in mind, too, that the legislation of to-day would take some time before it would become known to the community at large. An interesting book had just been published, giving an account of the difficulties which a pauper encountered in his endeavour to find where he could be relieved. He was not aware whether the pauper died before he could ascertain what he wanted, but such a result was not unlikely to happen from the intricacies of the Poor Law administration extending over so vast an area. As long as the law remained in abeyance, it was to the interests of the guardians to invest the system of relief with as much mystification as possible, in order to avoid being overrun by paupers. By the Return laid upon the table of the House, which he could not regard as satisfactory, he found that the labour and relief in different unions were very varied. It was, therefore, exceedingly necessary that there should be uniformity of treatment, because there were a great many paupers who always took care to favour the workhouse where they could either get more or better food and less work. As a proof that this feeling existed very strongly among the lower stratum of society, he might instance the fact that, owing to the absence of work on the Sunday, the applications for relief were always greater on the Saturday night than on any night during the week. He believed that the people who were in a habit of writing to a great journal, complaining of the neglect which the poor experienced at the workhouses, generally did so without first making any inquiry. In support of this assertion, he would allude to a fact which had come under his personal observation. On his way to the House one evening he was asked for relief by a man who, in reply to his inquiries, told him he could not get admission to the workhouse as the ward was already full. He accompanied the man to the workhouse and not only found that the statement was incorrect, but that the man himself was a rank impostor. A person who had believed the man's story without inquiry would probably have written upon the subject to the influential paper to which he had alluded. The hon. Gentleman concluded by moving to leave out all after "relief," and insert—

> "Of destitute wayfarers, wanderers, and foundlings in the several unions and parishes referred to in the said Act, received and to be received from and after Lady Day, 1865."

Mr. C. P. VILLIERS said, he did not in the least object to the Amendment, as it was in strict accordance with the recommendation of the Committee. It had always been intended to make the Bill permanent; but as the Bill had been introduced at the very end of the Session and was threatened with considerable opposition it was thought best not to make that proposition.

Amendment *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

House adjourned at half after Three o'clock.

HOUSE OF LORDS,

Thursday, April 6, 1865.

MINUTES.]—Public Bills — *First Reading*— Record of Title (Ireland)* (63); Inclosure* (64).

Second Reading—East India (Governor General's Powers, &c.)* (57).

Third Reading— Bank of Ireland* (19); East India High Courts* (62); Private Bill Costs (51) and *passed.*

PRIVATE BILLS.

On the Motion of the Chairman of Committees it was *Ordered*—

That no Private Bill brought from the House of Commons shall be read a Second Time after *Thursday* the 29*th Day of June* next:

That no Bill confirming any Provisional Order of the Board of Health, or authorizing any Inclosure of Lands under special Report of the Inclosure Commissioners for England and Wales, or for confirming any Scheme of the Charity Commissioners for England and Wales, shall be read a Second Time after *Thursday* the 29*th Day of June* next:

That no Bill confirming any Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, shall be read a Second Time after *Thursday* the 29*th Day of June* next:

That when a Bill shall have passed this House with Amendments, these Orders shall not apply to any new Bill sent up from the House of Commons which the Chairman of Committees shall report to the House is substantially the same as the Bill so amended.—(*The Chairman of Committees.*)

PRIVATE BILL COSTS BILL—(No. 51.)

THIRD READING.

Bill read 3ª (according to order), with the Amendments.

The Duke of CLEVELAND said, that if the Bill were passed in its present shape it might be attended with very injurious consequences. The case of a landowner who in opposing a Bill which affected his property was merely protecting his rights was very different from that of other opponents. Of course it was necessary that the person should be a *bonâ fide* landowner, and that his opposition should be *bonâ fide;* but if that were so, it was extremely hard that he should run the risk of being made liable to costs while merely attempting to defend his property. He begged, therefore, to move the introduction of a clause to this effect—that no opponent of a Bill which proposed to take away any portion of the property of such opponent should be liable to costs if he failed in his opposition to the Bill.

The LORD CHANCELLOR said, he was sure their Lordships would agree as to the propriety of introducing some such proviso as that proposed by the noble Duke; but his apprehension was that the words suggested would not meet the case of persons who, under the guise of landowners, were put forward by a rival Company to oppose a Bill in the most vexatious manner. He should therefore suggest that, instead of the noble Duke's clause, some such words as these be inserted —

> "And that if such opposition has not been made *bonâ fide* by a landowner or landowners, then the promoters shall be entitled to recover from the opponents such portion of the costs as the Committee may think fit."

The Duke of CLEVELAND said, he would readily adopt the words of the noble and learned Lord.

Lord HOUGHTON said that the Amendment suggested by the noble Duke and the noble and learned Lord was perfectly agreeable to his own views; but if the other House should object he would not bind himself to defend it to the extent of risking the loss of the Bill.

The LORD CHANCELLOR suggested the insertion of the following proviso. :—

> "Provided always that no landowner who *bonâ fide* opposes a Bill which proposes to take any portion of his property for the purposes of the Bill shall be liable to any costs in respect to his opposition to such Bill."

Amendment *agreed to.*

Further Amendments made; Bill *passed,* and sent to the Commons.

RECORD OF TITLE (IRELAND) BILL [H.L.]

A Bill for the Recording of Titles to Land in Ireland—Was *presented* by The Lord Chancellor; read 1ª; and to be *printed.* (No. 63.)

House adjourned at a quarter before Six o'clock, till To-morrow, Two o'clock.

HOUSE OF COMMONS,

Thursday, April 6, 1865.

MINUTES.] — New Member Sworn — James Bourne, esquire *for* Evesham.

Select Committee—On Thames River *nominated* (see p. 629); Chemists and Druggists *nominated* (see p. 479).

Supply—*considered in Committee* — Civil Service Estimates — On Account — Army Estimates.

Public Bills — *Resolutions in Committee*—Court of Chancery (Ireland) [Salary, Retired Allowances, and Stamps] *reported;* Land Debentures (Ireland) [Stamps].

Second Reading—Trusts Administration (Scotland) * [92]; Public House Closing Act (1864) Amendment [22]; Commissioners of Supply Meetings (Scotland) * [104] [Mr. Finlay.]

Committee—Public Offices (Site and Approaches)* (*re-comm.*) [99]; India Office (Site and Approaches) (*re-comm.*) [100].

Report—Sewage Utilization * [4], and (*re-comm.*); Public Offices (Site and Approaches)* [99]; India Office (Site and Approaches) [100].

Considered as amended—Metropolitan Houseless Poor [83].

WIMBLEDON COMMON BILL—(*by Order.*)

SECOND READING.

Order for Second Reading read.

Viscount BURY, in moving that the Bill be now read the second time, said, that before the establishment of the National Rifle Association and the establishment of the Volunteers, Wimbledon Common was little better than an undrained swamp; it was not much frequented, and was in a very neglected state. After that time, Lord Spencer, who was the lord of the manor, having given leave to certain Rifle corps to errect butts upon the Common, and to the National Rifle Association to hold their annual meetings there, a great improvement was made in the condition of the Common. The inhabitants of the villas surrounding the Common viewed those meetings of the Volunteers as an encroachment upon their privacy, and at first offered considerable objections to their presence on the Common. But ultimately these objections were considerably weakened, as it was found that practically the presence of the Volunteers was rather advantageous than otherwise. The National Rifle Association laid out large sums for drainage and other improvements, so that the Common presented a far more agreeable aspect than it had ever done before. But the question as to the rights of the lord of the manor, and those of the people in the vicinity having been once raised, it was not easy to set it at rest. A deputation on the part of the inhabitants of Putney and Wimbledon waited upon Lord Spencer to represent to him the irregularities that were occasioned by the meetings of the Volunteers on the Common, in the shape of gipseys who assembled there, and conducted themselves in a manner detrimental to the morals and comfort of the residents of the neighbourhood. Lord Spencer evinced every disposition to discourage those practices, and requested a meeting of the inhabitants of the vicinity at Wimbledon on a certain day. A great number of persons thereupon attended, when Lord Spencer detailed to them an outline of his scheme in regard to the Common. The noble Lord proposed to dedicate a considerable portion of the Common to the use of the public, reserving to himself only the rights which he exercised over certain other parts of the land. The scheme of Lord Spencer received in the first instance the approval of the meeting; but it was subsequently found that great objections were entertained by many of the inhabitants of the vicinity to the way in which Lord Spencer proposed to manage the Common, and to the inclosure of it. Things were in this position when the hon. Member for Lambeth (Mr. Doulton) moved for the appointment of a Committee to consider the question of the open spaces in the vicinity of the metropolis, and the second reading of the present Bill was postponed until that Committee should have had the opportunity of considering the whole subject. In consequence of the illness of the hon. Member for Lambeth, the hon. and learned Member for Southwark (Mr. Locke) presided over the Committe, and after hearing evidence for several days the Committee agreed to a Report which, in his opinion, the House would not be inclined on consideration to support, as it did not agree with the evidence, and recommended a scheme amounting to something very like confiscation; and it was in opposition to the opinion of that Committee that he now asked the House to read Lord Spencer's Bill a second time. The object of Lord Spencer was to divide Wimbledon Common, which comprised about 1,000 acres, into two parts. He proposed to surrender his rights of lord of the manor over 688 acres, reserving his rights only to two acres near the windmill in the centre of the Common and the remainder of the 1,000 acres. Lord Spencer proposed in respect to those 688 acres to make the necessary roads, to erect a post and rail fence for the purpose of preventing cattle from straying over the Common, and to prevent the commission of nuisances by tramps. That part of the scheme by which it was proposed to put up a fence had been objected to, and Lord Spencer, who wished to dedicate the Common to the public in the way most in accordance with public feeling, would not insist on the erection of a fence if the House thought it undesirable ; but it was proposed to compensate the common rights, if any existed, on the part of the Common to be dedicated to the public. The inhabitants of Putney, Wimbledon, and Roehampton very much objected to the common rights being touched, probably because they were conscious that those rights, if examined into, would prove to have merged in Lord Spencer ; but the noble Lord contended that the Common could not be fully dedicated to the public and given up to trustees until the common rights were swept away. Now came one of the points to which the opponents of the Bill greatly objected, and which Lord Spencer, with great liberality, was willing to waive. The cost of the improvements on the 688 acres, including draining and putting the Common into a satisfactory state, would amount to a considerable sum, and Lord Spencer, having given up rights of considerable value, could hardly be expected to put his hands further into his pocket and provide the money for those improvements. The noble Lord therefore suggested that the improvements in one part of the Common should be carried out by selling parcels of land in another part, over which he held equal rights. The portions he thus proposed to sell were marked blue, brown, and green upon the map now in the hands of many hon. Members. If the blue portion did not return a sufficient sum to defray the expenditure, then he proposed to sell the brown portion, and in the event of the sum realized being even then found deficient, then to resort to the sale of that portion marked green on the map. Now, those living in the vicinity of those particular lands made grave objections to this part of the proposal, believing that their property would be seriously damaged by the sale of those lands, and they had, on several occasions, declared their intention to raise the necessary funds for the improvements of the 688 acres by subscriptions amongst themselves, or by the levying of a local rate. Lord Spencer was quite willing to waive that part of his scheme, provided adequate means could be raised by subscriptions and a local rate; but it was by no means certain that those proposals of those persons could be effectually carried out ; and therefore Lord Spencer insisted upon retaining the selling clauses of the Bill, with a proviso that they were only to operate after the lapse of a certain period, and in the event of the failure of adequate means from subscriptions and a local rate. There were other points of his scheme in respect to which Lord Spencer and some of the inhabitants were at issue; but it was likely that on consideration the opposition to those parts of the scheme would terminate. With regard to the management, it was originally proposed that Lord Spencer should be the sole manager. That, however, being objected to, Lord Spencer consented to waive his first proposal, and to vest the management—first in himself, as lord of the manor, and then with him in a Commissioner of the Crown lands, and one other person to be nominated by the Government. The inhabitants of Wimbledon, Putney, and Roehampton proposed, in addition to those trustees, three others representing the interests of the inhabitants of Wimbledon, Roehampton, and Putney—making altogether six trustees. Now, Lord Spencer objected to so many as six, believing that the three trustees he proposed would be much better able to manage the property in the interests of the public generally than a board of six gentlemen; he thought that by such an arrangement the board would be practically a local board, because the local trustees being always on the spot would probably always constitute a majority. It was, moreover, Lord Spencer's wish not to put the management into local hands, but to dedicate the Common to the public generally, and the noble Lord therefore objected to the change suggested by the inhabitants of the vicinity. There had been opposition shown by some of the inhabitants to the meetings of the National Rifle Association, and Lord Spencer, in a national point of view, thought it essential that the Volunteers should be allowed the use of the Common, and he did not wish to put it out of his power to allow them that use. Lord Spencer, as lord of the manor, was in as good position with regard to manorial property as any other lord of the manor. Indeed, the witnesses before the Committee on Open Spaces showed that, owing to the peculiar circumstances of Wimbledon Manor, Lord Spencer had rights greater than other lords of the manor. It was objected before the Committee that there was no evidence as to the court rolls before them, but it was impossible to produce them, and it was unnecessary to do so, because all that was necessary was for Lord Spencer to show that he *prima facie* possessed the rights he claimed, it being for the House to decide on the second reading whether or not those rights were good in law. If that evidence was worthless he was willing to throw it aside and treat it as a mere assertion; but then he asked that the same rule should be applied to the evidence on the other side, as all the witnesses who spoke as to custom admitted they had never had an opportunity of examining the court rolls. The lord of the manor was, however, willing to give up his legal rights provided this Bill was passed, and when the Bill got into Committee that question could be further inquired into and decided. The Committee appointed to inquire into Open Spaces around the metropolis had exceeded its duty in the Report it made. It should have simply been for or against the scheme, leaving it to the Committee of that House to deal with it in the ordinary way; but instead of that it adopted a Report which amounted, in fact, to confiscation. He congratulated those who who appointed that Committee on the successful manner in which they got together a number of hon. Members who agreed with them in their views, and in this instance the Chairman of the Committee—a Chairman was generally an important person — the hon. and learned Member for Southwark (Mr. Locke) had made up his mind upon the question before he went into the Committee. ["Order!"] He begged pardon if he had said anything irregular to the House, and he would not allude further to it. The Committee, as he had already stated, reported what amounted to confiscation if supported by the House—namely, that Wimbledon should not be enclosed; and secondly, that there was no necessity for enclosing it. So far Lord Spencer was willing to amend his scheme; but as regarded his legal rights no Committee could deprive him of them. The Committee further reported that the Statute of Merton ought to be repealed — a step which certainly could not be determined upon except after considerable investigation and discussion relative to the legal rights enjoyed under that statute—whereas this Committee had reported adversely to the scheme and for the repeal of the Statute of Merton, after having had only three days' sitting. The opposition, he believed, principally came from the villa owners around the Common, who had no other rights than as a portion of the public. Now, Mr. Wingrove Cooke in his evidence stated that all the right which could by possibility accrue to the public in common was that in every case of inclosure a sufficient amount in proportion to the population should be reserved for the purposes of recreation. In the case of a Common with 10,000 inhabitants in its immediate vicinity, ten acres should be reserved, and so on in proportion. Now in proportion to the population of Wimbledon four acres only could be so claimed, consequently the villa owners in asserting their legal rights would only be entitled to four acres; whilst Lord Spencer, by this Bill, offered to give up his indisputed right of 688 acres for the recreation of the public. With regard to the commoners, Mr. Wingrove Cooke stated in his evidence that commoners were trespassers if they went there for any other purpose than looking after their stock. That was surely a matter of small money value, and might easily be arranged, especially as five to one of the commoners were in favour of the Bill. He asked the House, then, to read that Bill the second time. Lord Spencer had promised to submit the matter to the House and take their decision upon it, provided they did not attack his legal rights. But if they said that he had no legal rights to give, then the noble Lord must consider himself absolved from the promises he had made, and at liberty to act as he might be advised. But seeing that Lord Spencer was willing to give up to the public rights for which a large sum had already been offered—seeing that four or five railways and two or three hotels had been before Parliament during the last few Sessions, seeking for land in that locality, and seeing that it was very difficult for Lord Spencer to resist these claims, and that it might be impossible for him to resist them with effect for a length of time, he thought a case was made out for reading that Bill the second time, and he begged to move its second reading accordingly.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Viscount Bury.*)

Mr. COX, in moving that the Bill be read the second time that day six months, said, that the Committee on Open Spaces near the metropolis had gone fully and fairly into the subject referred to by the noble Lord (Viscount Bury), and had decided that it was not expedient that Wimbledon Common should be fenced round or inclosed. The noble Lord said that Lord Spencer would be willing to do away with the fence, but still he asked the House to read a second time a Bill which gave power to fence and inclose. Moreover, the Bill would extinguish the rights of common, and if those rights were put an end to, then the public would cease to have any right over the Common. He opposed that scheme, not in the interest of any villa owners, but in behalf of the three-and-a-half millions of persons living in the metropolis. Not a single witness came before the Committee who did not answer that from time immemorial the public had gone over that land when and where they liked, without interruption from anybody. The land was thereby brought within the description of a village green, and Mr. Wingrove Cooke did not deny that in that case it was out of the power of the lord of the manor to inclose or touch it. He asked the House, therefore, to support its own Committee, and reject the second reading of the Bill.

Mr. DRAX, in seconding the Amendment, contended that Lord Spencer's rights were not so large as had been assumed. In 1860 that noble Lord attempted to inclose a portion of Wimbledon Common adjoining his (Mr. Drax's) property, and a fence six feet high was put up there. He brought an action against the noble Lord, which was to have been tried at Croydon Assizes; but after putting the trial off as long as he could the noble Lord at last allowed judgment to go against him by default, and the fence had to be pulled down again and the land thrown open to the public. That was conclusive proof that Lord Spencer and his tenants had no right to inclose without an Act of Parliament. He knew something of the rights of lords of the manor, and they were very trifling. Lord Spencer had been allowed to cut turf and sell it for his benefit and to the injury of the freeholders and copyholders. He had also sold sand and gravel; the only other right which a lord of the manor had was to timber, and of that there was very little on Wimbledon Common. Lord Spencer had not an inch of land on the Common. He thought Sir Thomas Wilson had a greater right to inclose Hampstead Heath than Lord Spencer had to inclose Wimbledon Common.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Cox.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. LOCKE said, that having been Chairman of the Committee referred to by the noble Lord (Viscount Bury), he thought it necessary to make one or two observations upon what had fallen from the noble Lord. He denied that he had given a partial judgment in this case. He had failed on this as on former occasions to understand exactly what it was the noble Lord meant. The noble Lord had appeared in the Committee with a large brief, and conducted the examination of the witnesses, prompted by Lord Spencer, very much as if he were Lord Spencer's counsel. Lord Spencer's solicitor gave to his (Mr. Locke's) mind the most ridiculous evidence with reference to Lord Spencer's rights, and in addition the Committee were asked to receive the opinions of counsel, without the cases being put in upon which those opinions were founded. The Committee offered to receive them, provided the cases were put in; but the noble Lord declined to do so, and the Committee declined to receive the opinion without the case. That was the course that had been pursued throughout. He was willing to have voted for the second reading of the Bill if he could have placed any reliance upon the noble Lord's (Viscount Bury's) statements; but having listened attentively to him, he was unable to discover that he pledged himself to anything. It was said that Lord Spencer was giving up a great deal, but after all the attention he had paid to the evidence he was unable to find it out; and he confessed that after applying his mind to the subject he honestly believed that Lord Spencer intended to retain those acres which the hon. and learned Member for Wallingford (Mr. Malins) pointed out, and what the noble Lord intended to do with them was best known to himself. The case had been mixed up from beginning to end in the most extraordinary and complicated manner, and no Member of the Committee could for five minutes together clearly see what the noble Lord intended to do. Lord

Spencer's solicitor, when he came to give his evidence, painted a lord of the manor such as a lord of the manor had never before been painted on the face of the earth. He was, according to that gentleman's evidence, the most powerful lord of the manor it was possible to conceive, for he was able to do anything and everything with everybody; and that if he was not allowed by Parliament to do what he liked, he could take the Common and act with it as he pleased. If the noble Lord was not prepared to abide by the Report of the Committee he should vote for the Amendment.

Mr. LOWE said, he was afraid the House might be led unintentionally to do some injustice in this matter; he therefore begged their attention while he very briefly stated what he believed to be the facts of the case. Lord Spencer was the lord of the manor of Wimbledon, and the Common belonged to him in fee simple, subject to the rights of commoners, and subject to certain roads and rights of way. Wimbledon was resorted to by the public for purposes of amusement, but the lord of the manor could by his mere will exclude the public from it. In this position he offered to surrender the use of 688 acres of this valuable suburban land, of which he was the owner in fee simple, subject only to the rights he had described. He wished the subject should be inquired into by the Committee on Open Spaces. That Committee had inquired into it, and the Committee had decided by the casting vote of the Chairman—["No, no!"]—that this Common should not be enclosed, and that the common rights ought not to be extinguished. Surely, when a gentleman came forward and offered to give up 688 acres of valuable land for the amusement of the public, it was for the House to inquire whether it was desirable that the offer should be accepted. Surely it should not be rejected without inquiry? The hon. and learned Member for Southwark (Mr. Locke) said the Committee had reported on the case; but he had omitted to mention that they reported with reference to this particular case of Wimbledon Common that the Act of Merton, which had been in force for 630 years, should be repealed. That Act said that a lord of the manor might enclose, if he could do so without prejudice to the rights of commoners; and to punish Lord Spencer for offering 688 acres of his land for public amusement, the Committee proposed not only to repudiate the offer but to deprive him of the right he had of enclosing any part of the Common without prejudice to the commoners. He said that was not a question to be decided in that off-hand way. The Committee had exhibited much *animus*, and had decided by the casting vote of the Chairman that Wimbledon Common ought not to be enclosed; and he thought that if the House really wished to do justice in this matter they would send it to be inquired into by a Committee upstairs.

Mr. ROEBUCK thought the House was at present incapable of giving any opinion on this matter. They were totally unfit to decide the question, and ought to send it to a proper tribunal. The noble Lord had unwisely entered into the matter of the Bill. They had nothing to do with it. In common sense and common decency they were bound to send it to the ordinary tribunal for such inquiries—a Select Committee. He knew nothing of Lord Spencer, but private rights could not be dealt with in an off-hand manner.

Mr. LOCKE KING thought it was desirable, in the interests of the public, and of those residing in the neighbourhood, that the Bill should be read a second time. He was not willing to discuss the speech of the noble Lord (Viscount Bury), but he wished the House to bear in mind that several objectionable parts of the Bill had been withdrawn. The proposal to enclose a portion of the Common formed no longer a part of the scheme, and the power of selling the 300 acres only remained part of the Bill, upon the condition that the inhabitants were unable to raise sufficient funds for the contemplated improvements. It would be a great boon to the public to obtain something like 1,000 acres for ever; and if this Bill were not passed there was a possibility that future lords of the manor would deprive them of it. He thought the Bill should be read a second time, and sent to a Select Committee.

Mr. PEACOCKE said, that having sat in the Committee upon this Bill, he had formed the highest opinion of the motives of Lord Spencer in bringing it forward, and fully believed Lord Spencer was convinced that he had a full and good title to the Common. At the same time, however, he thought the noble Lord had been badly advised. The right hon. Gentleman the Member for Calne (Mr. Lowe), who was always prepared to give an *ex cathedrâ* opinion on any subject, appeared to entertain the opinion that Lord Spencer could deal with the Common precisely as he pleased; but he could tell the right hon. Gentleman that if he had known a little more of the case and had sat in the Committee, he would have found that the rights of Lord Spencer over the Common were very doubtful and questionable. If Lord Spencer were prepared to abandon the inclosure and the sale of the land, provided a rate could be raised for the object in view, he would advise the House to agree to the second reading of the Bill, and would earnestly entreat the hon. Member for Finsbury to withdraw his Amendment, because, if that were adopted, it would give to the country a false impression as to the feelings of the House on the subject. Every opportunity should be given for arriving at a fair and impartial conclusion on the matter.

Lord ELCHO supported the second reading of the Bill, and said he had been in communication with his noble Friend Lord Spencer on the subject, and he thought that very great injustice would be done to Lord Spencer, and to his motives if the Bill were rejected, and not brought under the consideration of a rightly constituted Committee. He had no interest in the scheme proposed by the Bill, and his evidence before the Committee would show that he was perfectly impartial. His own sympathy had always been in favour of keeping this and other commons uninclosed. The mere post and rail might not be much obstruction, but there was a strong feeling against inclosures. He was authorized by Lord Spencer distinctly to state that he was prepared to allow the Bill to go before a Committee on the clear understanding that he gave up all idea of inclosing the Common, and that he would postpone the operation of the sale clauses so as to give time to ascertain whether a rate would be raised. He would, therefore, join in asking the hon. Member for Finsbury to withdraw his Amendment and allow the Bill to be read a second time.

Mr Alderman ROSE thought he was speaking for the majority of the Committee when he said they were not prepared to offer any opposition to the second reading of the Bill. He believed, when the Bill went before a Select Committee, there would be formed a very different impression of the motives or public spirit of the noble Lord who had brought the measure forward than was now entertained. He thought that the further the inquiry was pushed the more clearly it would appear that Lord Spencer was not giving up any rights for the benefit of the public; but that, on the contrary, under this Bill, he would obtain a right to 300 acres of the Common, of which at present he had no right to dispose. The rights which had been assumed were of a very questionable and doubtful character. Instead of the Report of the Committee being carried by the casting vote of the Chairman, as represented by the right hon. Gentleman the Member for Calne, there were only four voted against it, all the other Members being in its favour. It was true that the casting vote of the Chairman was once taken, but it was only on a technical point.

Mr. COWPER said, it was a good maxim that we should not look a gift horse in the mouth; but, in this instance, he thought the more the proffered gift was looked at the more valuable we would find it to be. He thought the House would make a great mistake if they did not allow the Bill to be read a second time. The object of that Bill was to secure to the public for ever the unrestricted use of Wimbledon Common. Whatever might be Lord Spencer's rights over the 688 acres offered to be given up to the public by the Bill, those rights had been freely given up. A combination might possibly hereafter be made between the lord of the manor and those having common rights, by which the public would be deprived of the use of the Common; but this Bill would prevent the possibility of that. There were details in the scheme which had met with great objection, and he thought that in the framing of the scheme Lord Spencer had not been well advised; but the objectionable parts of the original scheme had been withdrawn. The Committee had come, by a majority, to the conclusion that there were three objections to the scheme. The first was the proposal to place a fence round the Common; the second, the selling of land; and third, the extinction of common rights. The noble Lord who had moved the second reading of the Bill, and the hon. Member who had seconded the Motion, both said that Lord Spencer had agreed to withdraw his proposal for fencing the Common; and to abandon the power of selling land, if the necessary funds could be obtained, either by means of voluntary contributions, or by a rate levied upon the residents in the locality. They had been told that the residents were perfectly able and willing to provide the money, and they might, therefore, safely conclude that no sale would take place. The third point might safely be left to the decision of a Committee upstairs.

Sir GEORGE BOWYER thought that the scheme embodied in the Bill ought not to be discussed or settled by a large popular Assembly, but that it ought to be referred to a Committee, for the purpose of being subjected to that research and legal acumen which were always necessary in cases involving questions of common rights and rights of lords of manors. It would, therefore, be very imprudent and injudicious on the part of the House were they to refuse their assent to the second reading in order that the Bill might be referred to a competent tribunal. The Committee had reported that the Statute of Merton ought to be repealed. Now he did not believe that there were ten Members of the House who had ever read that statute.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed.*

INDIA—THE BHOOTAN EXPEDITION.

QUESTION.

Lord DUNKELLIN said, he would beg to ask the Secretary of State for India, Whether the present invasion of Bhootan has been undertaken with the consent and sanction of the Home Government; whether it be true that two of Her Majesty's European Regiments have been ordered up to support the invading force; and whether it be the intention of the Indian Government to keep the Troops in the unhealthy country of Bhootan during the coming rainy season; and, if so, what, if any, arrangements have been made for putting them under cover?

Sir CHARLES WOOD said, in reply, that when the failure of the mission that had been sent to Bhootan was known, three courses were suggested for the Government to follow. One was permanent occupation of the country; the second was a temporary occupation; and the third was to take possession of a small portion of the country, including the passes leading into the hills, through which the plundering bands came down into the plains. He was averse to a permanent occupation of the whole country, and equally so to a temporary occupation, because he did not see how it would be possible to withdraw when we had once taken possession, and therefore the Government of India and himself were of opinion that the third course he had mentioned was that which they ought to adopt. At the end of December all the passes had been occupied, and our loss, except by one unfortunate accident, had been only five men. We remained in peaceable possession until the end of January, when the Bhootanese assembled in great force and attacked our troops. He would not express any opinion upon what happened then, as it was a subject of pending inquiry, but the result had been that it had been thought desirable to send forward a regiment and a half of British troops. He could not say what arrangements had been made or would be made for ensuring protection against the effect of the weather, but in the last despatch he had received there was this statement, "We shall spare no pains to provide shelter for the troops and to secure their health as far as possible."

ENGLISH SUBJECTS IN CHINA.

QUESTION.

Colonel SYKES said, he wished to put a question to Mr. Attorney General, but in order to make it intelligible he would state the circumstances which had rendered it necessary. A mercantile house at Ningpo had long been in the habit of sending up the river a boat laden with dollars for the purchase of silk. During the occupancy of that region by the Taepings the boat had never been molested, but lately the boat was attacked and plundered by Europeans in the Imperial service. The men were traced—one to Shanghai and two to Hong Kong, where they were seized and committed to prison. Mr. Kent, the merchant, now informed his partner in this country that the Judge at Hong Kong had released the prisoners, upon the ground that there was no law to punish Europeans who committed crimes in the interior of China. He therefore wished to know from Mr. Attorney General, Whether it is true that the state of the Law is such that Europeans may with impunity commit robberies or murders in China?

The ATTORNEY GENERAL, in reply, said, the only answer which he could give the hon. and gallant Member was, that under the present state of the law in China any European committing any act which would be a crime by the law of this country was amenable, if he could be caught and the facts proved against him, to the Consular authorities in China, and also to the Criminal Court at Hong Kong. The difficulty in the case which the hon. and gallant Member had referred to was, he supposed, that of getting up the evidence, and without any evidence there could not in China, as in this country, be any conviction.

SCOTLAND—PORT PATRICK HARBOUR.

QUESTION.

MR. TORRENS said, he rose to ask the President of the Board of Trade, Whether the works at Port Patrick Harbour are still going on, or whether they are in abeyance; in the event of their being stopped, when it is intended to resume them, and when it is supposed they may be completed; and whether he will state what sum up to the present date has been expended on the Port Patrick Harbour works, and what further amount it is estimated may be incurred for their completion?

MR. MILNER GIBSON, in reply, said, the works at Port Patrick Harbour were going on, and it was believed that they would be completed by October next. It was believed also that steamers would be able to use the harbour. The sum expended up to the 1st of March last was £35,733. A further expenditure would be necessary to complete the works of £9,882, and in addition to that there was a claim made by a contractor which, though not admitted, might be the subject of litigation, and which might lead, if the decision were against the Government, to a further payment of £5,000 or £6,000.

COLONIAL BISHOPS.—QUESTION.

MR. HENRY SEYMOUR said, he would beg to ask the Secretary of State for the Home Department, If the Government intend to take any steps to amend the Patents of the Colonial Bishops, defining their jurisdiction?

MR. CARDWELL said, in reply, that the Patents which had been issued by the Patent Office were now undergoing careful examination with a view of submitting a case for the opinion of the Law Officers of the Crown. It was the intention of the Government most carefully to examine the late decision of the Privy Council before any further Patents were issued.

INDIA—THE PEGU PRIZE MONEY.

QUESTION.

MR. H. COLE said, he would beg to ask the Under Secretary of State for War, When the extraordinary delay in the distribution of the Pegu War Prize Money is likely to terminate, and why the Prize Rolls of the 51st Foot, which served in that war, have not been yet received at the Royal Hospital, Chelsea?

SIR CHARLES WOOD, in reply, said, the Prize Rolls for Her Majesty's 51st Foot had been sent to Chelsea Hospital for payment. The rolls of the 102nd late 1st Madras Fusileers, had been received, and the prize money was now in distribution; the remaining Prize Rolls of the Madras portion of the force were expected shortly.

THE EPIDEMIC IN RUSSIA.

QUESTION.

SIR JOHN PAKINGTON said, he would beg to ask the Secretary of State for the Home Department, Whether the attention of Her Majesty's Government has been directed to the disease now prevailing in Russia and some parts of Prussia; and whether the Government propose to take any steps to ascertain the true nature of the disease, and to avert its introduction into this country?

SIR GEORGE GREY: Sir, the attention of the Government was directed to this subject by a statement which appeared in one of the daily papers on the 29th of March. Instructions were immediately sent by telegraph to Sir Andrew Buchanan, at St. Petersburg, to make without delay the fullest inquiries into the subject, and to send from time to time all the information he can obtain as to the origin, nature, and progress of the disease, and the mode of treatment of it at St. Petersburg. Instructions were also sent to Her Majesty's Representatives at Berlin, Vienna, Copenhagen, and Stockholm, and to our Consuls at the Baltic ports, to send full information as to the disease, should it appear in any of those parts of Europe. A medical officer has also been directed to proceed at once to St. Petersburg to investigate and report upon the disease, and the officers of Customs have been directed to exercise the utmost vigilance in the examination of vessels coming from the Baltic. The information we have as yet received has been by telegraph, but Sir Andrew Buchanan says that he has forwarded by post a printed medical report on the disease, which is stated to be a fever new in Russia, but not unknown in other parts of

Europe, and that the mortality—which had been up to eighty per day—was said to be diminishing at St. Petersburg. Lord Napier states that the Minister of the Interior had told him that an unknown disorder had appeared along the valley of the Vistula, but that he was not aware that it came from Russia. The Consul at Dantzic, in a telegram dated to-day, says that a disorder prevalent in that district is a complaint of the brain, chiefly affecting children, but that it had no connection with the disease existing at St. Petersburg. The Consul at Warsaw, in a telegram also received to-day, says that some cases of typhus have occurred there, but no disease having the proportions of an epidemic disorder has up to the present time appeared in Poland. The Consul at Konigsberg reports that no particular epidemic disorder exists there, and the Consul at Memel says that no symptoms of the disease have appeared in that district nor in the adjacent Russian provinces; and a telegram just received from the Consul at Stettin reports that no epidemic has exhibited itself there.

RENEWAL OF HOSTILITIES IN NEW ZEALAND.—QUESTION.

Colonel NORTH said, he would beg to ask the Secretary of State for the Colonies, Whether the Government have received any information of the renewal of the New Zealand War, and of a battle having taken place in which thirteen of our troops had been killed?

Mr. CARDWELL replied, that the Government had not received any information of the sort. The only information which had reached them was the telegram which had appeared in the morning papers.

BANKRUPTCY AND INSOLVENCY (IRELAND) ACT AMENDMENT BILL.

[Bill 102.] lords' amendments.

Lords Amendments *considered.*

Page 1, line 15, the first Amendment, *agreed to.*

Page 1, line 16, the last Amendment, read 2°.

Motion made, and Question proposed, "That this House doth agree with the Lords in the said Amendment."—(*Sir Robert Peel.*)

Sir COLMAN O'LOGHLEN said, he wished to call the attention of the House to an important Amendment which had been made in this Bill by the House of Lords. According to the present state of the law in England, no railway company could be declared bankrupt, and no shareholder could be rendered liable for more than the unpaid amount of his shares. He believed that was also the law in Scotland. Up to the end of last year it was believed that the same law prevailed in Ireland; but it was discovered about that time by some ingenious gentleman that railway companies could be made bankrupt in Ireland, and the result was that one railway company had been made bankrupt. A doubt had also arisen as to whether shareholders in railways in Ireland could be rendered liable for more than the unpaid amount of their shares. Under these circumstances the present Bill, with the sanction of the Law Officers of the Crown, was introduced. It consisted of two clauses, the first of which prohibited any railway company in Ireland being made bankrupt; and the second prevented any shareholder being rendered liable for more than the unpaid amount of his shares. The Bill passed that House; but a Select Committee of the House of Lords, to whom the Bill was referred when it got there, struck out the second clause. When the Bill was returned to the House of Lords, a Motion was made to re-instate the clause, and was lost by a majority of three only. He considered it would be a most unfortunate proceeding if that House should agree to the Amendment of the House of Lords, as the result would be that the assets of the railway companies to be made bankrupt would be lost in litigation, and the shareholders would be harassed by legal proceedings. He moved that the House disagree with the Lords' Amendment.

Mr. BAGWELL said, it was very desirable that the Attorney General for England should give his opinion upon this question, which had created a large amount of fear in Ireland, where railways were required, but where they would not be made if the law should continue to be that shareholders must be held to be liable beyond the amount of their shares.

Colonel SYKES said, it was clear that there ought not to be one law for England and another for Ireland in this matter. He thought it desirable that the Government should declare its view on the subject.

Colonel FRENCH said, that there ought to be some expression of opinion on this matter by the legal advisers of the

Crown. Persons who bought shares in Irish railways certainly imagined that their liability was limited to the amount of their shares; but if these Amendments were agreed to no man would be secure.

Sir GEORGE BOWYER thought it a little extraordinary that when so important a legal question as this was being discussed the legal advisers of the Government were not present. He did not, however, think their advice very material, because in his view there could be no two opinions about the matter, for the simple reason that if the holders of Irish railway shares were made liable to the full extent of their property in case of the bankruptcy of the railway company, no one would hold shares in them, and thus railway enterprise in Ireland would be put an end to altogether. If such a question arose in respect to railways in England, the House would be up in arms, the Standing Orders would be suspended, and they would not separate until the matter had been placed on a proper footing. It would be an instance of inexcusable supineness on the part of the Government, if there was not an immediate expression of opinion on the question.

Sir PATRICK O'BRIEN thought that disagreeing with the Lords' Amendments would tend rather to complicate the question, because the settlement would be thrown over the Easter holidays, and before the House met more than one railway company in Ireland might be made bankrupt.

Colonel GREVILLE said, that as the legal advisers of the Government were absent, perhaps the right hon. Gentleman at the head of the Board of Trade would give the House the benefit of his opinion. The right hon. Gentleman's name was on the back of the Bill.

Mr. MILNER GIBSON said, that the question being somewhat of a legal character, he was not the proper authority, but as he had been appealed to he had no objection to give his opinion on it. As he understood, the shareholders in the Irish railways in question took their shares with limited liability, which was the undoubted law at the time they took them, and therefore they could not be called on for anything beyond the amount of the shares. That was the position in which they stood in 1857, when the Bankruptcy (Ireland) Act passed for the purpose of providing for the winding-up bankrupt companies. Railways were not excepted from that Act, and it had been held, from certain language in that Act, that the shareholders in any railway which might be made bankrupt could be called upon to contribute until the whole of the debts of a bankrupt railway were paid. He could not conceive it possible that any court of law would come to such a conclusion, or that an Act which was passed merely for the purpose of winding-up companies could alter the extent of liability falling on shareholders. All that it could do was to provide a mode of collecting the contributions which it was just that the shareholders should severally pay. The question was whether the House was to declare that it was not the intention of the Legislature, when it passed the Bankruptcy Act, to put an end to that limitation of liability which shareholders legally enjoyed by the constitution of their company, or to leave shareholders subject to the litigation that might arise in consequence of the ambiguous language of the Act. In his opinion it was but fair and reasonable to relieve the shareholders from the consequences of an ambiguity in that Act; for whatever might be said about injustice to creditors being inflicted by an *ex post facto* law, it must be recollected that the creditors acquired the rights they claimed by the operation of an *ex post facto* law—if the Act of 1857 had the effect which it was pretended; who ever heard of a general law directly taking away the private property of persons, or exposing to liability persons who never heard of it, who were never consulted, and who most certainly were not in the mind of the Legislature when the Act of 1857 was passed? It therefore appeared reasonable and just to re-insert the clause, and disagree with the Lords' Amendments.

Colonel DUNNE said, he did not think any difficulty would arise from the delay in the Bill which would be caused by disagreeing with the Amendments.

Motion, by leave, *withdrawn.*

Amendment *disagreed to.*

Committee *appointed,* to draw up Reasons to be assigned to the Lords for disagreeing to the Amendment to which this House hath disagreed:"—Sir Colman O'Loghlen, Sir Robert Peel, Mr. Milner Gibson, Colonel French, and Colonel Greville:—To withdraw immediately; Three to be the quorum.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE STATE PAPERS.—OBSERVATIONS.

Mr. HENRY SEYMOUR said, he rose to call the attention of the House to the publications entitled the *State Papers* and *Hertslet's Commercial Treaties.* He had taken the liberty last year of bringing the former publication under the notice of the House. The *State Papers* were issued every year, but sometimes they had been as much as twenty years in arrear, and the volume issued in 1864 was about twelve years in arrear. This publication was issued at the public expense, and was sold at such a price as put it quite beyond the reach of the great majority of the people. His hon. Friend the Under Secretary of State for Foreign Affairs had undertaken to get the price reduced, and, as he understood, also to look into the contents to see whether matters were not printed as *State Papers* which ought not to be put in that category. The hon. Gentleman had got the price reduced from 30*s.* to 10*s.*; but he did not think that the contents of the volume had received his attention. The book contained 1,400 pages of a most miscellaneous character, and he ventured to say that five-sixths of the contents were not *State Papers* at all. If he understood the meaning of the term, Correspondence laid on the table of that House, Acts of Parliament, and French Budgets twelve or fourteen years old, hardly came under the title of *State Papers.* One of the first matters in the volume for 1864 was "Austria — Correspondence about the Affairs of Italy, 1848." He then found under "Belgium" the law, modifying law of 1835, relative to Foreigners, 1841; Budget, 1852; Finance, Receipts, Dotations, Public Debt, &c. Under "France" — Correspondence relating to the Affairs of Italy, 1852. Next came "Germanic Confederation" — Correspondence about the Affairs of Italy, 1852. And then they had "Great Britain" — the whole of the Finance Accounts of 1853. The work also contained the correspondence of fourteen years ago relating to the Slave Trade, the French Budget of an equally ancient date, foreign Correspondence of 1852 relating to obscure British subjects, Correspondence on Italian affairs, Treaties made with Indian chiefs by the American Government, and so on. The House would agree with him that a great portion of the work was perfectly valueless, and ought never to have been printed at the public expense. He did not know whether the particular item for printing the work appeared in the Votes, but he was informed that it was included in the expenses of printing for that House under the head of Stationery Votes, instead of being placed under that of the Foreign Office, to which it properly belonged. The publication entitled *Hertslet's Commercial Treaties* was also edited by the Librarian to the Foreign Office, and he (Mr. Henry Seymour) was desirous of knowing whether that work was published at the public expense; and if not, what were the peculiar relations subsisting between the Foreign Office and their Librarian with regard to work, of which thirteen tons lay at the Stationery Office unsold. In his opinion this book ought not to be printed at the expense of the nation. He begged to draw the attention of the right hon. Gentleman (Mr. Layard), as an administrative reformer, to the fact that by eliminating such items from the Stationery Votes a considerable reduction might easily be made under that head.

Mr. LAYARD said, the two works were entirely distinct, the *State Papers* being compiled by the librarian to the Foreign Office, and printed at the public expense, while *Hertslet's Commercial Treaties* was a purely private work, the Government merely taking a certain number of copies for the use of the public offices and foreign missions. He entirely differed from the hon. Member as to the value of the *State Papers,* although he agreed with him in his expression of regret that they were so far in arrear. Mr. Hertslet, with whom he had communicated on this subject, was not responsible for this delay, and was anxious to exert himself to the best of his ability for the public service. He intended for the future to publish three instead of two volumes a year; so that by 1870 the arrears would be cleared up. The work was in his (Mr. Layard's) opinion most valuable, and he was in the habit of constantly referring to and quoting the volumes, which contained *resumés* of British and foreign treaties and digests of the most important public documents published in this country and elsewhere. Mr. Hertslet had just completed a very important addition to the work—namely, a double index —an index of subject and an index of date—which would be of the greatest service to those having the conduct of public affairs. The price at which the work was sold had been reduced from 30*s.* to 10*s.* per volume, which did little more than repay the cost of its production, and was very little for a volume of 1,400 pages. However, Mr. Hertslet thought he should be able still further to reduce the price.

MR. WHITE quite agreed with the hon. Member for Poole (Mr. Henry Seymour) with regard to our *State Papers*, and their almost absolute worthlessness for practical purposes, and instanced the fact that in 1863 he found the Danish Succession Treaty of 1852 had not then been published in that collection, and he had been compelled to refer for it to the *Austrian State Papers*, which were brought down eleven years later than those printed by our Foreign Office. The work whose merits, or rather demerits, they were discussing, did not contain many important State documents, whilst it was stuffed with details of *palavers* and agreements in reference to the slave trade, made ten years previously with certain illustrious personages, such as King Will, Sam Tory, Black Foobra, Old Jack Brown, and other petty chiefs on the West Coast of Africa; not one of whom was able to write his own name. His experience had taught him that for special treaties made by Great Britain, it would be a waste of time to expect to find them in our own *State Papers*, and he habitually referred for such documents either to *Martens' Recueil*, published at Gottingen—a German work of deservedly high reputation, or to the *Archives Diplomatiques*—an admirable French periodical which furnishes, by authority, the very latest information with respect to all international treaties, conventions, or correspondence. He hoped the Under Secretary for Foreign Affairs would impress on the librarian of his office the necessity of making a better selection of documents, and of publishing them within a shorter period of their dates than twelve or fourteen years. Such an extraordinary delay justified the suspicion that the Foreign Office did not desire to furnish that full and complete information upon State affairs to which the House and the public were entitled. Seeing how closely the financial condition and well-being of the country were bound up with our Foreign policy, the amplest information ought to be placed within the reach of every hon. Member who desired to make himself acquainted with our treaty obligations; and it was a reproach to our Foreign Office that such knowledge was not obtainable from our own *State Papers*, but from foreign Collections published at Leipsic, Gottingen, or Paris.

OFFICERS SERVING IN INDIA.

QUESTION.

SIR HARRY VERNEY said, he rose to ask the Secretary of State for India, Whether it is necessary to retain the present Regulation by which Officers serving in India forfeit their Indian allowance if they quit Asia and come to Europe while they are on furlough of six months; and whether he will direct that where non-commissioned officers of regiments in India are sent home on the completion of their first period of service, and others are appointed in their places, the acting non-commissioned officers shall receive the rates of pay due to the rank they filled from the date of their appointment, without waiting until the discharge of the men in England is notified? Although the Regulation mentioned in his first Question might have been a proper one when the journey from India to this country occupied six months, he did not think that it was reasonable to retain it now that the transit could be made in five weeks, so that an officer having six months leave might come home and spend three or four months of it with his family. At least the Commander-in-Chief in India ought to have power to permit officers to come home if he thought proper. The subject to which his second Question referred was a mere matter of justice. He had received a letter from an officer commanding a regiment in India, who informed him that he had under his orders ten acting sergeants and corporals who would not receive the pay belonging to their respective ranks until the discharge of the non-commissioned officers whom they had succeeded had been sent to India. He thought that this was very unfair, and hoped that the right hon. Gentleman would promise that the system should be changed.

SIR CHARLES WOOD said, that Indian pay and allowances were given to officers in consideration of the danger which they incurred and the hardships which they suffered while serving in India, and he did not think that it would be fair that the India revenue should be charged with extra pay for a gentleman who was amusing himself in London. As to the second Question of the hon. Baronet, the regulations in force in India were the same as those which were observed in this country, and he saw no reason for altering them. The result of the change suggested by the hon. Baronet would be to create a double establishment of non-commissioned officers when only one was required for the performance of the duty.

DEFENCES OF CANADA.

PAPERS MOVED FOR.

Mr. HALIBURTON said, he rose to appeal to the noble Lord the Member for Haddingtonshire (Lord Elcho) to postpone the Motion upon this subject of which he had given notice. A deputation from Canada was at present on its way to this country, and probably one of the objects of its visit was to make some arrangements with reference to this very question.

Lord ELCHO, in rising to move an Address for Copy of Papers and Extracts of Correspondence relative to the proposed Canadian Defences and the share of the total cost which is to be respectively borne by Canada and the United Kingdom, said, that the very reasons which had been assigned by the hon. Gentleman the Member for Launceston (Mr. Haliburton) for asking him to postpone the Motion were those which had induced him to bring it forward. In doing so, he felt that some apology was necessary for again bringing the subject of the defence of Canada before the House. In what he was about to say he should be careful not to infringe those rules which had been wisely drawn up for the guidance of Members in debate, and would not quote from, or refer to, the speeches which were made in a previous discussion upon this subject, nor should he question the policy of the Vote to which the House came upon that occasion. He then voted in the majority, and he only regretted that the amount granted was not larger; but he then voted, as he believed most of the majority did, under a false impression. His only reason for renewing the debate upon this subject was that since the last discussion circumstances had been made public which indicated the existence on the other side of the Atlantic of a state of things which not only justified but rendered absolutely necessary their reconsideration of this very grave question. From the first he had entertained a very strong opinion with reference to the policy which the Government were pursuing towards Canada; and he could not but think that of the two courses which had been presented to the House the true policy of this country was to be found rather in the path which had been marked out by the right hon. Gentleman the Member for Calne (Mr. Lowe)—although he was not disposed to go so far as that right hon. Gentleman—than in what he might call the trail of Colonel Jervois which was being followed by Her Majesty's Government. The opinion of the majority of that House had been clearly indicated by its vote, and he should not have again raised the question had it not been for the news which had recently been received from Canada. Without infringing the Rules of the House, he might say that the impression under which they voted the money for the fortification of Quebec was that the share which England was to pay and the part which Canada was expected to take in the defence of her own frontier had been definitively settled between the Governments of the two countries. He was, however, now in a position to show that those who voted under that impression voted under a very wrong impression—that so far from anything having been settled, everything was unsettled, that the whole question was the subject of negotiations between the two Governments, and that the deputation alluded to by the hon. Member for Launceston was now on its way to this country in order to endeavour to bring about some arrangement. The first hint of the existence of this difference of opinion between the Imperial Government and that of Canada he obtained immediately after the last division upon this subject. He repeated that it was the general impression of the House when it was asked to vote this money that everything had been settled, and that there was no difference of opinion. Immediately after the division, on his way home, he went into the reading room and happened to take up *The Sun*, and the first paragraph that caught his eye was a telegram to this effect—

"Quebec, March 10.

"The news that £50,000 has been recommended to be voted by the Imperial Parliament for the defences of Quebec has been very ill received here. Mr. J. A. Macdonald stated in the House that there must be a mistake in the figures, and that £500,000 doubtless is intended. Upon the hon. Mr. Moore inquiring of the Government if the fortifications recommended by Colonel Jervois to be built at a cost of £1,343,000 were to be erected, and what proportion of the cost would fall on Canada, Sir E. T. Tache replied that he hoped all necessary fortifications would be built; but as the matter was now the subject of negotiation between the Imperial Government and that of

> Canada, he could not say how much Canada would be expected to pay."

That clearly pointed out that everything had not been so satisfactorily settled between the two Governments as the House had been led to believe. That telegram had been confirmed by detailed reports which had been received from Canada of what had taken place in the House of Assembly. He found that Mr. Macdonald, referring to what had been reported by telegram as having been said in the House of Lords by Earl De Grey, stated that the figures must have been intended to mean £300,000 or £500,000, instead of £30,000 or £50,000, and that negotiations were going on between the Provincial and the Imperial Governments. Now, as he had before observed, it appeared that there was no understanding between the two Governments, and he hoped the House would bear patiently with him while he read a few extracts from the Canadian papers which had an immediate bearing on the question at issue. The extracts which he was about to quote he had taken from the summary of the proceedings of the House of Assembly in the *Toronto Weekly Globe*, and from that journal he learnt that Mr. Galt, the Finance Minister, in moving a Vote of 1,000,000 dollars for defences, used the following words:—

> "I may state that in the communications which have passed between the Government of Canada and the Imperial Government on the question of defence, the subject of what the colonies and the mother country should each do in this respect has been postponed. . . . . Those points in reference to the general relations which the colonies should bear towards the mother country in the matter of defence have, owing to the anticipated delay (the Confederation) which may arise, assumed an appearance that requires the Government of this province to approach the Imperial Government in order to obtain a decision on this very important subject."

Then came a passage to the announcement made in which the attention of the House of Commons had not been invited during the discussions on the subject—for it appeared that after all this 1,000,000 dollars was to be raised on English credit. Mr. Galt added—

> "Any expenditure which Canada may feel called upon to assume must be on the understanding that this will be sustained by the Imperial credit. . . . We have a right to ask that the credit of the country should be sustained by the Empire."

The House would now, perhaps, like to have some information on the same authority as to the opinion which prevailed in Canada in reference to the extent to which she ought to be defended, and the part the mother country was to take in that defence. Mr. Galt said—

Lord Elcho

> "The Government feel that their responsibility extends much further than this Report of Colonel Jervois comprises. The responsibility rests on the Government of giving protection not to one part of the province or the other, but to every man in this country. It has been asked why no answer has been made to the Report. Answers have been made, and negotiations are going on, and it is because they are still going on that the Government are desirous of proceeding to England to press them to an issue. . . . . The Government take this ground—that the expense should be assumed in part by the Imperial Government, and under an Imperial guarantee. I have no hesitation in saying that difficulties have arisen in obtaining that guarantee, and unless these difficulties are removed the Government are not prepared to say that this million of dollars will be expended on these works."

An hon. Member (Mr. Dorion) on hearing that statement made seemed to have been as much astonished as he was himself when he had read it and asked—

> "Am I to understand that no part of this money will be expended until the Government meets again? Mr. Galt.—Certainly not."

But let the House mark what it was that they were called upon to do—

> "The question of defence (said Mr. Galt) is not merely confined to the erection of certain works. That is only one means of defence. . . . . The great lakes will have to be defended. The defence of that portion of the country requires that gunboats should be placed on the lakes. Well, the province of Canada is not able, and cannot be expected, to place gunboats on those lakes. But the Empire is. All these points have to be met and considered with the Imperial Government. If for defence this country is to depend upon a petty Vote of £50,000 a year, then it may be better to adopt the words of one who is no longer among us, but who occupies a seat on the Bench, and say that the best armament for this country is no armament at all."

Now, he confessed that he, for one, was very much disposed to concur in that opinion. The extracts he might add, which he had just read, were taken from the papers of the 17th of March; but another mail had arrived last night, in which the subject was continued, and the authority which he was next about to quote was one he felt sure to which his right hon. Friend the Secretary for the Colonies would not object, for he quoted the same gentleman himself. He found that Mr. Rose—not the gallant Alderman opposite—in speaking of the Vote of 1,000,000 dollars, said—

> "I do not understand this Vote as meaning that we are to expend one million dollars merely as a contribution towards any particular defen-

> sive works, but this—that the Government on going home can say the people of Canada are serious in this matter, and as an earnest of what they are prepared to do for defence they have armed us with authority at once to spend money for this object on condition that a correct understanding be come to with reference to the future entire system of defence, and that all those anterior misunderstandings which have existed between the two countries should be brought to an end. . . . They (the Imperial Government) should be told even more strongly than Colonel Jervois has told them, that danger is imminent, that the country is utterly defenceless, and that Canadians could not hold it twenty-four hours. They should, above all, be told that in case of war we shall need the whole strength and all the resources, not of Canada only, but of the whole Empire; and that these must be given ungrudgingly, as before; they should be asked at once to take care of the lakes, and to send a flotilla of the small class of gunboats that are now laid up useless at Portsmouth."

Now, these extracts afforded, he thought, a sufficient justification for his having brought the subject before the House. He was of opinion that every step we took upon so grave a question—the gravest by far which had been brought under the consideration of Parliament in his time—should be taken only with the fullest information which we could procure, and that we should take care by no rash course of proceeding to enter into engagements with Canada which we might find it impossible to fulfil. And it would, perhaps, be well, seeing what was the state of feeling in Canada on the subject, to take into account what it was she had already done and was capable of doing. In a letter which had appeared the day before in *The Times* newspaper from "A Member of the Canadian Parliament," the writer, in drawing a comparison between the relative resources of Canada and this country for the purposes of military defence, said—

> "Within the last three years the Canadian Parliament has voted nearly 2,000,000 dollars for our defence, and some 20,000 volunteers have enrolled and organized themselves more or less effectively; that is to say, we have done as much relatively to our population and financial resources as you would in England if you had organized 240,000 volunteers and voted £20,000,000 sterling for military purposes."

He went on to say—

> "The extreme limit to which any one has ventured to go on this side of the Atlantic has been to propose an expenditure of 10,000,000 dollars on the organization of the militia, and even that only on the supposition that the Imperial Government would lend us the money at the lowest rate of interest at which they could obtain it themselves. And this is precisely equivalent on our part to your undertaking to organize 1,200,000 men, and to expend £100,000,000 sterling of money. It is by no means improbable that some such proposition may be made before this communication reaches you. Will the people of England permit their Government to lend us the requisite funds?—will they undertake to provide a flotilla, and to build the fortifications deemed necessary, whether they cost £1,000,000 or £2,000,000 sterling?"

It was, in his opinion, most desirable that we should come to a distinct understanding with Canada as to what England could and could not do in reference to the present question. The course which he thought we should take was to say that so long as Canada stood by England, England would stand by her, but that we were not prepared to attempt to do that which was not possible. We should deal with the question, bearing in mind what could be done, taking into account the resources at our command and also what was politic in regard to Canada herself. Now, the question of what was possible turned so completely on military considerations that he, as a civilian, was not presumptuous or foolish enough to pronounce any opinion of his own on that point. He, therefore, looked to the opinions of military men, and he should, he confessed, be prepared to rest the point on the views to which an hon. and gallant relative of his (Major Anson) had a few evenings before given expression; for, though the hon. and gallant Gentleman did not belong to the scientific branch of the army, he would not, he felt sure, be deemed to be exceeding the bounds of what was right when he said that no man for his age had seen so much service, or had served with greater distinction in all parts of the world. The career of his hon. and gallant Friend begun in the Crimea; he then went to India, and from the first shot fired at Delhi to the last on the frontiers of Nepaul he had been in all the military operations in that country. Again in China he was one of the first to enter the Taku forts; and after his return from the East, he was for a time present with M'Clellan's army (so that he well knew what an American army was), and afterwards visited Canada, with the position of whose frontier he was well acquainted, so that he could speak of its capability for defence from personal knowledge. There were good grounds, then, for placing reliance on his opinion on such a subject as that before the House; but his hon. and gallant Friend, as well as himself, had since he made the speech to which he referred deemed it to be their duty, to collect upon the question the opinions of practical military men, and he would state without fear of contradiction that, going beyond the narrow circle of official military authority, for every one such man who would say that it was possible to defend Canada there were ten who maintained that she could not be defended. His hon. and gallant Friend had written for the best practical military opinion in the country, and the substance of the reply he received was that Canada in a military point of view and in the sense pointed out by Colonel Jervois, and adopted by the Government, was utterly and entirely indefensible. But this question of the defence of Canada was not so much a military question as one of common sense. There was an instinct which told every one that such a country as Canada, with a population of 2,500,000 persons and an extended frontier could not be defended by England, which was 4,000 miles distant, against America, furnished with all the munitions and requisites for war, and also with railways capable of transporting at any moment those munitions to the Canadian frontier. Not even with the assistance of England was it possible for Canada to defend herself against America. That appeared to him to be a self-evident proposition, and one more of common sense than of military science. What was the opinion of persons on the Continent looking dispassionately at this question? A letter from the Paris correspondent of *The Morning Post*—a journal said to be in the especial confidence of the noble Lord at the head of the Government — appeared in that newspaper on the 27th of March, and the following was an extract from it:—

> "The discussion which is taking place in the British House of Commons concerning the defence of Canada attracts much interest and suggests a considerable amount of speculation on this side of the water. The conviction here is that Great Britain cannot hold Canada; and to throw up defences is an invitation, some urge, to war. Are these observations worth the consideration of Her Majesty's Government."

He did not know whether they were worth the consideration of the Government, but he thought that the House of Commons, instead of indulging in buncombe and "tall talk," which deceived nobody—not even themselves—and least of all those whom it was intended to deceive, the Americans, who were masters of that sort of language. Instead of indulging in bombast they should look the question in the face and say what they meant and would do in this matter. After conversing with military men on the subject he found their opinion to be that the utmost it was wise or politic for England to do was to defend Quebec and Halifax, especially the latter. In their opinion Halifax ought to be made inpregnable—our Gibraltar in that part. This it was possible for England to do; and it was very evident what England could not do. He did not think England could or should enter into any engagement to furnish by her credit or give herself to an unlimited extent her money for the erection of defences at Montreal, Kingston, and along that line, which he believed would be perfectly useless. He believed that England would not send an army of 30,000 soldiers to man those defences; and England would not and could not compete with America in the construction of gunboats on the Lakes. He had spoken of what he believed to be possible, and he would now say what he thought politic. He thought that in the interests of Canada it was not wise for that country to burden herself with debt to erect fortifications which it would be difficult, if not impossible to defend, and to make that country a hopeless battlefield in the event of a war with America. They had always been taught to consider that the greatest misfortune which could befall a country was to be made the seat of war, and he believed that all that these defences would do would be to bring down in an aggravated form on Canada, in the event of a contest with America, all the horrors which accompanied war. In the interests of Canada, therefore, he asked the Government to re-consider the policy they were disposed to pursue with respect to Canada. His impression was that the wise policy for Canada to pursue would be, instead of building these useless forts and encumbering herself with debt, to endeavour by freedom from debt, and by every attraction which could be held out to settlers, to increase her population, so that the rich wastes in her territory might be occupied. That was a policy which England ought to encourage. Having stated what he believed to be possible and politic with respect to Canada, he would now say a word on the question which had often been raised in the course of these discussions, and that was the point of honour. He denied the right of those who took a different view from himself on this question to assume that they had a monopoly of proper national feeling and pride in respect to it. He believed that the course he suggested was strictly consistent with national honour; and far from deserting

Canada, he accepted the *dictum* of the right hon. Secretary for the Colonies that war with Canada was war with England. He did not suggest that England should desert Canada, but this country should pursue the policy which she adopted with respect to Turkey and the Danubian Provinces. What was that policy? The Danubian Provinces lay between a great military Empire and a river, the possession of which that Empire was anxious to obtain for the purpose of its commerce. The provinces were defenceless, and on more than one occasion Russian armies had crossed the Pruth and occupied them. The Russian hordes were swept back again; but was that result produced by war carried on in the Provinces? No, but by a totally different means; by war made upon Russia in a different quarter. It might be said that England had the advantage of attacking a vital point to Russia at Sebastopol, and that a similar vital point was not to be found in America. The basis of all reasoning on this subject rested on our having the supremacy of the sea—for if we had not that supremacy of what use were our fortifications? But if we had the supremacy at sea we could inflict immense damage on America. That was the only way in which England could deal an effective blow at America. It appeared to him that to make Canada the battlefield in a war with America would be similar to a man engaged in a duel taking up a position so that his eyes faced the sun. He only hoped that in bringing that subject before the House he had not exceeded the legitimate bounds of debate. He believed the facts he had adduced would show that there were some grounds for asking the House to re-consider that question, for it stood, he maintained, in a totally different position from that which they had been led to suppose it occupied. He knew not what the result of these discussions or of the negotiations pending between the Canadian and the Imperial Governments might be, but for his own part he never should regret having raised his voice against a policy, which, if not tested by war, might doubtless prove successful, but which if tested by war would, he firmly believed, prove fatal to this country. He should ever rejoice that, however feebly, he had raised his voice against a policy which might be preparing in Canada the grave either of the honour or the power of England.

SIR JOHN HAY, in seconding the Motion, said, that he had been unable to give his vote on the late occasion when the fortifications for Canada were discussed in that House. He had felt that to oppose the Vote then proposed by the Government might have seemed indicative of that which he would be the last to entertain—namely, a wish to desert Canada should she unfortunately be engaged in hostilities with the United States. On the other hand, he had felt that if he had supported the Motion he should have given his vote in favour of a system of defence which he believed to be indefensible and not calculated to afford that support to those Provinces which it was, he was sure, the desire of all classes in this country to afford them. Having had the advantage of travelling in Canada and serving in those seas, his attention had been in some degree turned to these matters; and having formed some plan in his own mind as to how Canada should be defended in the event of hostilities, he had thought it would not have been dealing fairly with the House to have given a vote in favour of a policy which in his conscience he disapproved. He must bear testimony to his entire concurrence in the views so ably stated by the gallant Member for Lichfield on the previous discussion. Canada had for the greater part of its frontier a series of lakes, two-thirds the size of the Mediterranean. The upper lakes above Niagara were cut off entirely from Lake Ontario and the River St. Lawrence, and Lakes Huron, Michigan, Erie, and Superior, were entirely commanded by the American navy or the mercantile marine which had Chicago for its headquarters. The Western Provinces of Canada were, at present, utterly indefensible, because it would be impossible, even if England were inclined to do so, to place a naval force on these Upper Lakes in good time, by reason of the physical obstructions which would prevent her sending vessels to occupy them. The forces of America, assembling at Chicago, could advance upon Western Canada and landing at Collingwood, in Georgian Bay, could turn all our defences; and it would be impossible either in a naval or military point of view to defend those Western Provinces against any forces which might attack them either from Detroit or from the shore of Lake Erie. The only portion of the frontier which it might be possible to defend was the eastern portion—namely, Montreal, Quebec, Lake Ontario, and the St. Lawrence; and unless we decided to keep a naval force there—which we could do only by the termination of the treaty limiting the forces on the Lakes—it would be impossible to defend those Lakes or the St. Lawrence by any naval force which we could improvise on the occasion. The Americans could place any force they pleased at Rouse's Point on Lake Champlain, which would be impregnable against anything but regular military operations, and they might have an army of 60,000 men encamped and supplied within thirty-five miles of Montreal, and on our only line of communication which existed in winter. That single line of communication was by the railway from Richmond to Montreal, on the south side of the St. Lawrence, and unless it was defended by an enormous military force it would be cut in two by the force which the Americans might have assembled at Rouse's Point. The fortifications of Quebec and of Montreal would be entirely separated from each other, and Quebec again would be isolated from England during five months in the year by the freezing of the St. Lawrence. The true defence for our North Armerican colonies was the fortification of Halifax and the holding of the province of Nova Scotia. There they had a harbour accessible at all times of the year; for during the twenty-six years that the Cunard line had kept up the communication between Halifax and England, there had been only one occasion on which it was necessary to cut the steamer out of the ice, and even then she was not delayed in making her passage. Therefore, for all practical purposes, Halifax was always within ten days' communication of England; and no place could be made more impregnable as long as we had the command of the sea. Having Halifax they might throw in forces for the defence of the other provinces. All they required was a communication between Halifax and Quebec. The true defence for Canada, therefore, was to expedite the arrangements for completing what was called the Intercolonial Railway between Halifax and Quebec. Nearly 200 miles of that railway had been made, leaving about 420 to complete, and when it was finished, avoiding as far as possible the American frontier, they would have a line of communication which would be open at all times of the year, and which would enable this country, even should it be the misfortune of Canada to be overrun by American armies, to throw upon the flank of the invading force whatever force we might chose to devote to that purpose. That railway would also be supplemented during the open season of the year by water communication with Quebec. But our great line of defence should be by the railway between Halifax and Quebec. They ought not to attempt to fortify Montreal, or seek to make of that mercantile capital a military base of operations. The Intercolonial Railway would also be advantageous for mercantile purposes; for there was no supply of coal in Canada, and the whole of its supplies could be brought with great rapidity and abundance by such a railway from Picton and Cape Breton, during the five months of the year when the St. Lawrence was frozen. He agreed, therefore, with the noble Lord (Lord Elcho) that it was very desirable that the Government should re-consider the mode in which they were about to afford assistance to Canada, should expedite the completion of those communications on which her defence would so greatly depend, and should hesitate to encourage the Canadians to vote large sums of money for the fortification of a great mercantile city, which could not for a moment be held in the face of the forces which might be sent against it. He should, therefore, support the noble Lord in his Motion for these papers.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, Copy of Papers and Extracts of Correspondence relative to the proposed Canadian Defences and the share of the total cost which is to be respectively borne by Canada and the United Kingdom,"—(*Lord Elcho,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. BUXTON said, he found that as a matter of form he could not move the Amendment of which he had given notice. He could entirely confirm what had fallen from the noble Lord as to the opinions of military men out of doors on this matter. Only the other day a military engineer of considerable authority told him that it would be impossible for us to resist an invasion of Canada by the proposed fortifications. In giving notice of his

Amendment he did not at all mean to imply that in the interval before the whole question could be decided upon by the Canadian people the fortification of Quebec should be suspended — for, if these fortifications were to be made at all, not an hour ought to be lost in beginning them; and if it should afterwards turn out that the Canadians wished the whole scheme to be dropped, why the loss of £50,000 would not matter. Nor yet did he intend to suggest that the tie between Canada and England should be broken. He only wished that Canada, being so vitally interested in this matter, should be taken into council with us, and allowed the opportunity of deliberating on the question, whether it really was for her interest that we should take part in her land defences. Now, of course, it was very possible that Canada might not take that view; but if she should — and he thought he could show good reason for anticipating it—then we should find ourselves set free, without loss of honour, from what everybody felt to be a most unpleasant, if not perilous, predicament. He had not met with any sensible man who did not see that in commencing this great fortification scheme we were plunging into a sea of difficulty and expense to which no limit was visible; and, although the people of this country were perfectly willing to accept what was inevitable, it would be a great relief if a way of escape could be found without any stain being cast upon our honour. Now, two things were clear—first, that if British troops were to be retained in Canada then fortifications must be built for their protection. The fortification scheme was the inevitable corollary of the maintenance in Canada of a British force. The second point was, that it was clear that England could not at the present time renounce her connection with Canada, and that if she did so she would incur the scorn of the whole civilized world. A third alternative had been presented to the House by the right hon. Gentleman the Member for Calne (Mr. Lowe)—namely, that without cutting the tie that bound us to Canada we should inform her that for strategic reasons we must withdraw our army from her shores. That suggestion had been supported by arguments of great force; but there was one strong objection. The world had become extremely suspicious of strategic movements. It had been observed that somehow they were always movements towards the rear; and this strategic movement, however wise in itself, would probably also be misunderstood as being, in fact, the result of fear. But there remained the question, whether the same end might not be attained in a way to which this objection could not apply. If the Canadians for their own advantage and for the purpose of diminishing the danger of their becoming involved in a war with the United States, requested the mother country to withdraw her troops, and therefore let the fortification scheme fall to the ground, this would not cast the slightest taint upon the honour of the mother country, while at the same time we should be saved from the enormous outlay and the enormous risks which our attempt to defend Canada by land must involve. But two questions would naturally suggest themselves. It might be said that the Canadian Government had already given their assent to the proposals of Her Majesty's Government. But this was not even true with regard to the fortification scheme. The news had lately arrived that Mr. Galt, the Finance Minister of Canada, in asking for a quarter of a million sterling towards the permanent defences of the country, at the same time intimated that Canada would look to being sustained by the Imperial credit in raising funds for her protection, but said that—

> "Difficulties had arisen on that point, and unless those difficulties should be removed he was not prepared to say that this million of dollars would be expended on the proposed works."

Mr. Galt said—

> "These and other points must be discussed with the Imperial Government, so that Canada may not be thrust into a position which it would only be an idle sacrifice for her to try to endure."

And, in fact, the broad question had never been submitted to the Canadian Government, whether they would not prefer that we should withdraw our troops and drop the fortification scheme altogether, which was a very different question from the one whether or not, on the assumption that the troops were to remain there, they should be protected. But then came the main question whether it was worth while to submit the whole matter to the decision of the Canadian people; whether there was a sufficient probability that they would decline our aid on land to make it worth while for us to take such a step. Now, at first sight undoubtedly it might seem absurd to suppose that any colony would deprecate the maintenance of a strong body of troops within their borders by the mother country. There, were, however, strong reasons for anticipating that if the question were formally submitted to the people of Canada—if it were fully discussed and deliberated upon by them—they might come to the conclusion that the most prudent course would be to decline the plausible, but dangerous aid offered them by the mother country. It was possible, in the first place, that they would not believe in the likelihood of any war with their American neighbours. They had shown what to us seemed a surprising apathy on this point. Our Government and press during the last three years had been doing their utmost to awaken them to a sense of their danger; but it was only after bullying them and pushing them that they could be induced to arouse themselves to even a moment's alarm. A slight and short panic had no doubt seized them last January; but the circumstances had already passed away which led to that transient feeling of alarm, and symptoms were already visible of their relapsing into their former state of confident repose. Now, should that be their feeling—be it or be it not a well-grounded one—in that case it would naturally strike them that if there really were no great risk of war, then it would be folly for them to lavish, in warding off an imaginary danger, that capital which was so urgently needed for the development of their great natural resources—for railways, for canals, for roads, for bridges, for harbours, and a thousand other enterprizes for which a country like Canada would be ripe could the means only be forthcoming. They would feel—they would justly feel—that for a young and growing country to have its savings buried in dykes and melted in guns, when every farthing was so pressingly needed, would be nothing less than a calamity. The increase of taxation would not only weigh down the springs of their commercial energy, but it would discourage immigration, it would tend to keep away from their shores that population who otherwise might seek a home in their boundless, fertile plains. But it might be said, what would be an outlay of a million and a half of money to a country with such prospects? Now, could any rational being suppose that if Canada were really to be put into a thorough state of self-defence against, perhaps, the greatest military and naval Power in the world, this could be done by an outlay of a million and a half? In fact, that was the bare estimate of the first outlay on the fortifications alone. Then they would have to arm them with costly ordnance, to maintain a large army to man them, there must be barracks and bombproofs, besides vast preparations for warfare on the lakes as well, including especially an enlargement of the Rideaux Canal. It was impossible not to perceive that the outlay of this sum upon fortifications involved the expenditure of at least another million and a half in general military appliances. The Canadians would surely shrink exceedingly from their share of this outlay, unless they were under strong and serious apprehension of the approach of war. But let them take the other supposition—let it be granted that they would regard it as probable that war might arise between England and the United States. Perhaps they would take this view; in fact, though he himself was persuaded that there was no valid ground for panic, it would be reasonable to regard it, not, indeed, as probable, but yet as more than possible, that such a war might arise; for, whatever theoretical arguments might seem to prove that the Americans would never fly to arms if they could possibly avoid it, actual experience had shown, and that not once, but on three mighty occasions, with what fiery impetuosity that proud and gallant people would fly to arms, with a reckless disregard of the calamities that might befall them. Ninety years ago they plunged into the War of Independence. Fifty years ago they plunged into a second war with this country when she was in the pride of her power, and they actually had only four frigates and six sloops of war. Again, within the last five years we had seen how eagerly they rushed into a tremendous civil contest, from which, in the opinion of most bystanders, it would have been honourable as well as prudent to abstain. Remembering all this, the Canadians might, perhaps, contemplate the contingency of a war between England and the Federal States. But even in that case it would not follow that they should think it desirable that a detachment of the British army should be quartered within their borders. On the contrary, the Canadians might reasonably conceive that the presence of some 10,000, or even 20,000 British troops in Canada, so far from securing her from attack, would inevitably act as the most powerful inducement that could possibly be held out to the enemy to pour his armies into that province, in hopes of inflicting disaster and disgrace upon England at the one vulnerable point so luckily presented to them. They all knew well what a vain, proud, self-confident people our American brethren are. In all likelihood the result of the dreadful war in which they were now engaged would be such as to leave them in a state of the highest elation, fully believing, and not without some reason, that their country had become the mightiest military and naval Power in the world. The Canadians would surely feel that to the Americans thus inflamed and exultant not a shadow of doubt would suggest itself that if they poured into Canada with, perhaps, 200,000 or 300,000 men and an unparalleled artillery they would sweep all before them, and that the little British army would fall into their hands as a glorious prize. The Americans would assuredly be fired by what would seem to them the sure and certain prospect of such a triumph. Surely it stood to common sense that a little British army stationed there, 3,000 miles away from its base, would seem a glittering bait to American ambition. So far from terrifying their powerful neighbours, this mere handful of men would rouse all their energies, would kindle their courage, would fill them—

> "With that stern joy that warriors feel
> "In foemen worthy of their steel."

In fact, as the right hon. Gentleman the Member for North Staffordshire (Mr. Adderley) said the other day, our keeping these troops in Canada was like waving a red flag in the face of an enraged bull. The right hon. Gentleman concluded thence that we ought to protect them by fortifications; and he (Mr. Buxton) cordially agreed that if the troops were to be retained there, then the fortification scheme was inevitable; but could the Canadians or any one else suppose that the Americans would be restrained by a few forts on Point Levi or elsewhere from making an ugly rush at the red flag thus waved before them? On the contrary, they would probably consider that the fortifications would also fall into their hands, and thus only add to the splendour of their success. They had shown again and again in the course of the present civil war how little they would shrink from the most lavish expenditure of life in assailing fortifications, and how little fortifications would withstand them. The Canadians, then, might very likely come to the conclusion that the presence of our troops would inevitably cause their provinces to become the theatre of war, should hostilities break out—and this, too, a war which might last for years and years, and fill their now happy country with ravage and ruin. He believed the Canadians would feel all this very strongly. But then the question naturally suggested itself whether, even if we had no troops or forts to tempt attack, still the Americans would not invade Canada in order to annex that country to their own. Now, he felt sure that those who were most intimate with the feelings of the Americans would tell them that it was no longer any part of their policy to annex Canada by violence. Some years ago they were eager to induce those Provinces to join them; but he did not believe that they had any ambition to subjugate the Canadians and to compel them into union by force of arms. The war they were now waging was no precedent that way. It was not waged for the conquest of a foreign land, but for the maintenance of the unity of their own country. Surely, too, the work they would have for many and many years in keeping on the shoulders of the South a yoke forced upon them at the point of the sword would render it absolutely impossible for them to attempt at the same time to seize and hold a vast country containing 3,000,000 or 4,000,000 inhabitants, who would regard their dominion with ineffable hatred. But suppose for a moment that they should resolve on such an outrageous and preposterous enterprize as that of the conquest of Canada—in such a case would this fortification scheme be of the least shadow of avail to stop them? Why, of course, as the hon. Member for Launceston (Mr. Haliburton) said the other day, their main object would not be to seize the rugged and comparatively valueless province of Lower Canada; their aim would be to seize the fertile and prosperous plains of Upper Canada, to annex the territory adjoining their own along the line of the Lakes. Our defences of Quebec and of Montreal, therefore, would have no effect in resisting such an enterprize as that. No one proposed that Kingston and Toronto should be defended by our troops, but only by the Canadian militia. Would any one venture in that House to say that if the Americans concentrated an army of, perhaps, 200,000 or 300,000 men at the western corner of Lake Ontario and invested Toronto by land, while innumerable gunboats, brought in pieces by the railways, assailed it from the water, that town could possibly hold out against them?

Would not the same fate inevitably befall Kingston? Would not our having induced or rather compelled the Canadians to fortify those towns simply be an attraction to the Americans to attack them, and be a help to the Americans in afterwards holding them, should we endeavour afterwards to drive them out? This supposed attempt at annexation would not be delayed even for a week by our having persuaded the Canadians to fortify their principal towns. Considering all these points, his conviction was that if the question were deliberately submitted to the Canadians, whether they wished to retain our troops among them with the inevitable corollary of the fortification scheme, they would probably come to the conclusion that it would only aggravate their danger and tend to involve their country in all the horrors of war. He thought they would probably hold that we could far more effectually aid them by a direct assault upon the enemy, and especially by aiding an uprising of the South. At any rate, it seemed to him that the Canadians had a right to be consulted, and to let their voice be decisive on this question. They were not children to be dandled and done for by the mother country; they ought to be allowed to deliberate and decide for themselves; and if their conclusion should be the one which he anticipated, he was sure that in that case every sensible man would think that we might heartily congratulate ourselves on having got, with perfect honour, out of a very embarrassing position.

Colonel SYKES said, that half a century's military experience had given him some ideas on military matters, though they might not be worth much. He had asked himself three questions on this subject of the defences of Canada. The first question was whether it was possible to defend a country like Canada, which was larger than Europe, and possessed a frontier of 1,500 miles, had an overwhelmingly powerful neighbour, and was far distant from this country. The second question was, whether it was politic to defend Canada. And the third, whether we should be justified, so far as the interests of the great mass of the people of this country were concerned, in involving them and their children in prospective responsibilities, which must greatly enhance the burdens this country has to bear. With regard to the first question, there was no doubt in his mind that the country which had not within itself a sufficient military force to meet an enemy who would enter it at any point along a line of 1,500 miles, could not be successfully defended. Was it possible that Canada, with every assistance we could render her, could raise a force to withstand 100,000 men, which would be the smallest number that America would send over the frontier? Could the Canadians keep the field against such a force? Certainly not. Then they would have to fall back upon those fortifications named in the Report from Colonel Jervois. All experience and military history taught us that if a country could not keep the open field against an enemy it could not hold its own in a fortress. Engineers informed us that a fortress could be reduced, with a garrison inferior to the besiegers, within a certain number, not of months, but of weeks even. Was it rational, therefore, with the prospects which we had before us of the military aid which Canada could give, to attempt to defend that country? Was it politic to pretend to defend it by laying out £50,000, for fortifications? That sum would do very little for providing adequate fortresses, even were £150,000 added to it next year. Was it creditable that we should expose our troops in such a position as they would be placed in should a war break out? They would inevitably be shut up in a fortress and be obliged finally to retire down the St. Lawrence and return to England. Then, in respect to the second question, admitting that we could not defend Canada, was it politic to show the Americans that we distrusted them by offering menaces such as had been used in the debate? He believed there could be no wisdom in such a course of proceeding. As to the third question, what would the consequences, in a financial point of view, be of a war with America in the defence of Canada? Colonel Jervois, in his Report, stated—

> "That efficient communication should be established with the western districts; that the country between Lake St. Louis and Lake Ontario should be protected by naval in combination with military means; that a naval depôt should be provided at Kingston, which place should be fortified so as to form a secure harbour for gunboats on Lake Ontario. With the naval command of that lake troops acting for the defence of the western peninsular of Canada might, if overpowered, fall back upon its shore at Toronto, where, if proper works were constructed, they might act in conjunction with the naval force for the defence of that position, either until reinforcements arrived from other

parts of the country, or until the winter season obliged the enemy to retire."

The whole programme resolved itself into a succession of "ifs,"—a mere myth. As to the question of costs, Colonel Jervois said—

"I regard the works for the defence of Montreal and Quebec as being of the most pressing importance. I estimate the cost of those for Quebec at £200,000; those for Montreal at £443,000; and that the armaments for the works at those places will cost about £100,000. The works of fortification recommended at Kingston, Toronto, and Hamilton will cost about £500,000, and the armaments for those places about £100,000."

But this outlay would only initiate the great scheme, and it must be admitted that there would not be afforded by the plan proposed anything like a sufficient defence of the country. Why, then, spend the money and run the risk of being beaten and degraded in the eyes of the world? Why not retire from Canada while we could do so with honour? As long as we had fortifications in Canada and kept adding to them and maintained troops there, the Canadians as well as ourselves would be constantly apprehending imminent war with America. If we withdrew our troops and reposed confidence in the American people and in the Government of the United States, there was not much probability in the present and prospective condition of the Federals that they would desire to acquire Canada. We can now retire with honour, and leave the Canadian people to make their own arrangements. Supposing we undertook the defence of Canada, which it has been said we were bound to do, the financial condition of that country was such that she could give us very little assistance. Those gentlemen who read *The Times* newspaper would learn that Canada had no less than five loans open in England, three at 6 per cent, and two at 5 per cent, the stock of every one of which was at a discount, the 5 per cents as low as 82 to 84. Canada was obliged to levy a heavy tariff against England on account of the depression in her finances, not in a hostile spirit, but really from want of money. What, then, was the likelihood of Canada being able to raise and pay a force commensurate with the necessities of a war with America, and what would be our responsibilities if we undertook her defence? England had prospective responsibilities enough for her public works, which must necessarily operate against the Chancellor of the Exchequer's freedom of action for many years to come in the arrangement of his Budgets. No fewer than seventy-two fortifications and batteries were now in progress in various parts of this country, and there was a large prospective liability in respect of them. According to the hon. Member for Finsbury (Sir Morton Peto) the armaments of these forts alone would cost something like £14,000,000. Then, on looking into the Army Estimates of this year he found large prospective demands, which would stand over after these Estimates were voted, in respect of works at Dover, Alderney, Chatham, Aldershot and Colchester, defences of Bermuda and Nova Scotia, commercial harbour defences, and other similar purposes. Taking the cost of these works and making a moderate estimate for the outlay upon the proposed defences in Canada and at home, he believed that the total amount of these prospective demands, which hung like a millstone round the neck of the Chancellor of the Exchequer, was about £29,812,201. He asked the House whether they would deliberately continue to involve the taxpayers of this country by augmenting these heavy responsibilities? His advice would be to withdraw our troops from Canada, to keep on good terms with her, and, if possible, with the United States; and if America resolved to attack Canada and we resolved to defend her, he agreed with those who thought that we could only do so effectually by operating with our navy on the American coast.

Mr. ADDERLEY said, that when he listened to the speech of the noble Lord who made this Motion (Lord Elcho) he had been under the impression that the noble Lord was asking the House to re-consider its Vote on this subject the other day upon the ground that the Canadians were not so ready as we had supposed them to be to take part in defending their own country. He understood, however, that this was a wrong impression and that the noble Lord did not wish the House to re-consider this Vote, and desired we should proceed at once with the fortifications at Quebec, but was of opinion that we should not encourage the Canadians to take the further steps we were then anticipating they would take for their own defence. Now, if this were the noble Lord's view, it was surely an inconsistent and an indefensible one; because if we were not to encourage the Canadians to contribute to their own defence, *cui bono* the fortifying of Quebec? The only reason why we should undertake to fortify this city was to enable the Canadians to elaborate their own defences. The noble Lord said that this defence would be impossible, and that, if possible, it would be impolitic. But a contrary opinion had been mantained by eminent military authorities, and he believed that no country in the world was indefensible if the people were free and were determined to preserve their independence. He saw nothing in the position of Canada to distinguish it from other countries, and there was nothing absurd in the proposition of Colonel Jervois that the Canadians should be encouraged to make strongholds along their frontier which they might themselves garrison. Neither was it absurd to suppose that such strongholds might be garrisoned by Volunteers. We expected that in case of invasion the fortifications lately made around Portsmouth and Plymouth would be held by Volunteer forces; and it was not unreasonable to expect, in the same way, that the Canadian Volunteers would, if attacked, be able similarly to hold the fortifications now proposed. But the noble Lord thought it would be better if they allowed Canada to be overrun, citing, as an analogous case, the Danubian Provinces, the safety of which was maintained not by fortifications but by dependence on the intervention, on occasion arising, of an exterior force. But who was to supply the exterior force in case Canada were attacked? [Lord Elcho: England.] England? But he thought that part of the argument of the noble Lord was that it was not the interest of England to defend Canada. The two opinions seemed to be inconsistent. If it were the interest of England to defend Canada, then one part of the argument failed; and if it were not the interest of England, then the other part of the argument fell to the ground. He thought himself that it was the interest of England to maintain the North American Provinces as an independent Power. England was a great maritime nation, and in that quarter of the world would gain a great accession of strength by an alliance with the maritime Provinces of North America, which we ought not to allow to accrue to the United States. The reason why the North American Provinces were at present a weakness to England was that they had been prevented from properly developing their own resources. But if the whole strength of Canada was drawn out and organized, instead of being an embarrassment and a source of weakness and anxiety at such a moment as this, she would add tenfold to the strength of this country. If the noble Lord had not made out that it was either impossible or impolitic that Canada should develop her own means of self-defence, then the sooner she was both encouraged and enabled to do so the better. But how was that to be done? No one had made any other proposition — even the noble Lord himself had not done so—than that England should assist her. If Canada was to raise militia and Volunteers, how was she to do it? Simply by the aid of the veteran troops of England. [Lord Elcho: Hear, hear!] So far the noble Lord went with him, English troops must be kept at present in Canada to teach the Canadians; and if that were so, they must have fortifications for them, in case of need, to fall back upon;—and what fortifications should they be? [Lord Elcho: Quebec.] Well, then, they were both agreed that Quebec must be fortified. But the noble Lord had said that from what he had read in the papers there appeared to be some doubt whether the Canadians were really in earnest in taking steps to defend their frontier. But if the noble Lord drew one inference from that circumstance he (Mr. Adderley) drew another. He allowed there was some uncertainty about the matter, and he was sorry for it, as delay at that time might be very disastrous. But what was the reason for that uncertainty? It was simply this, that the great question of Federation was still undecided. The two Canadas were perfectly prepared for Confederation, but the maritime provinces were not, and until they were, the question of Confederation and of united measures for defence could not be fully determined. In New Brunswick the general election had resulted in the defeat of several of the most prominent advocates of union, but not by large majorities. In Nova Scotia the supporters of union seemed to be paralyzed by the effects of the election in New Brunswick. In Prince Edward's Island the local influence had been always opposed to the union; but it was to be hoped that the opposition might be overcome. In Newfoundland the proposal had been postponed. In New Brunswick and Nova Scotia, however, which were the most important, and which guided the rest, there was a strong and active party in favour of Confederation. It might be hoped, therefore, that all opposition to the scheme would soon be removed. He had not the slightest doubt that what made New Brunswick and Nova Scotia hang back was partly because they thought, that by Confederation, they would be swamped by the greater Provinces of Canada, but still more because they could not make up their minds to give up the good things which they were accustomed to get from England, and they feared that they would be thrown more upon their own resources. But he begged to tell them—and in doing so he knew he expressed the fellings of the House—that these Provinces were very much mistaken if they thought that by holding back from Confederation they would continue to receive from England the same support in men and supplies as before. He would tell them plainly that there never would be a Minister in this country strong enough to induce the House of Commons, after an opportunity of independence had been offered, to vote supplies for their special purposes, and the sooner they gave up any such idea the better. He was convinced that the time was at hand when the proposed federation would be accomplished, and that then the defence of Canada, by the Confederated Provinces, would soon be undertaken. He could not at all agree with his noble Friend that the House of Commons should attempt to check the Canadians in their present efforts at defence. On the contrary, they should be encouraged and aided. If the delegates now on their way to England should ask for an Imperial guarantee to raise the sum of money that would be required for their fortifications, he for one would be ready to vote for it. The Government might not be prepared at present to express an opinion upon that point; but so strongly was he convinced that it was the duty of this country to encourage and assist the Canadians in self-reliant efforts that he had no hesitation in saying even beforehand that he should be ready, if the Government were to make such a proposal, to support them in giving the guarantee requisite to enable the Canadians to raise a loan on easier terms for the cost of their own defences, and which he did not believe would involve this country in any serious risk. In conclusion, he deprecated any debates in that House which should lead to remarks in France or other countries that England considered Canada indefensible. He believed it was the opinion of that House that Canada was perfectly capable of defence, and therefore, so far from reconsidering their previous decision upon the subject, he held that the Canadians should be encouraged without hesitation or delay, and assisted by Her Majesty's Government to do everything in their power to defend themselves.

MR. CARDWELL: Sir, I am going to offer only a very few observations, as I am under the impression that it is not the wish of the House that the debate should be much longer continued—indeed, after the able speech just addressed to us by my right hon. Friend (Mr. Adderley) there is not much to be said upon the question raised by the noble Lord. My noble Friend (Lord Elcho) has entirely disclaimed the wish that we should recede from the decision to which we came in the former debate upon this subject, and I think that the gallant Gentleman opposite (Sir John Hay) also told us that in his opinion Quebec ought to be fortified. But my noble Friend says that on the former occasion he voted under a different impression from that which recent intelligence is calculated to make. But if my noble Friend is satisfied that Quebec should be defended, and does not wish that we should reverse our former decision, what does it signify under what impression he gave his vote on the occasion referred to? It is a settled point, then, that Quebec should be fortified—that, at all events, is undisputed; and when my noble Friend says that he gave his vote the other night under the impression that arrangements had been made with the Canadian Government for the defence of the frontier, I must be permitted to say that neither my noble Friend who moved the Vote (the Marquess of Hartington) nor myself said anything to create that misapprehension, and the hon. Gentleman opposite (Mr. Bentinck) who moved the rejection of the Vote commented upon the fact that no such statement had been made on the part of Her Majesty's Government. My noble Friend, however, brings forward this Motion on account of intelligence which has reached us since the last discussion. But I should have thought if there was anything which made it demonstrably unfit to bring forward this Motion, it was that intelligence. Why, what is the intelligence? Is it that the Canadian Government have prorogued their Parliament, and have deputed four Members to come over here in order to confer with Her Majesty's Government on this matter. But does my noble Friend suppose that we are going to produce papers in an imperfect state—that we are going to anticipate what these gentlemen may say, or by a statement rashly made to prejudge the question at issue? Manifestly not. These gentlemen have already left their own shores and are now on their way to hold discussion with the Government of this country; and when that is the case it would be a great mistake for us to anticipate the proposals which they may have to make. My noble Friend has read extracts from the debates which have taken place in the Canadian Chambers of Legislation. I believe it would be possible to extract passages which might create an impression which would not be altogether satisfactory; but, then, it would be most unjust to these gentlemen to say that the general spirit in which this subject has been discussed in the Canadian Chambers has not been eminently creditable both to them and us. [Lord Elcho: Hear, hear!] I am glad my noble Friend cheers that remark. Well, if such be their spirit—if there be but one feeling among them of loyalty to the British Crown, of attachment to British connection, and but one earnest and evident desire to secure the defence of their country, why should those doubts be now thrown upon their disposition at this moment? I shall not quote extracts from the Canadian debates, but I think it only just to Mr. Galt that I should read to the House the concluding passage of his speech. After having alluded to the feeling of the people of this country, to what we should require from the Canadians, and to the spirit which we should expect to be shown, he goes on to say—

> "I trust the taking of this Vote—I speak of the million of dollars on account for defence—will show to the people of England that now, when the danger is before us, we are ready to bear our share of it; that we clothe our Government with power to ask them to unite their resources with our resources, and with these means, united in the defence of this country, I am perfectly certain that we can resist any attack that can be made upon us, from whatever quarter it may come."

Well, Sir, that is the spirit in which the Canadian Minister addresses the Assembly. I sincerely trust that when he lands upon these shores that spirit shall not be damped by finding that this House has concluded the question in another sense, that we have determined that it is no use for them to have exerted themselves, to have drawn upon their resources, to have exhibited a loyal spirit to the Crown, or devoted attachment to British connection—no use to have increased their taxation,

to have called out their Volunteers, to have exercised their militia, because we, in our superior wisdom, have determined that it would be impossible to defend Canada, and impolitic to do so if it were possible. I trust that the spirit to be found here will correspond with that which they have exhibited, and that, after we have been engaged for years in calling out the energies of the Canadian people, we shall not turn round on them at last and desire to recall the proposals which we have made. I trust we shall take no such retrograde step as that. The right hon. Gentleman opposite (Mr. Adderley) said that Canada could be defended, but that the defence could be undertaken by its own people. As I stated the other evening, there is no doubt that the primary defence of Canada consists in the knowledge on the part of every foreign country that war with Canada implies also war with England; but the second defence of Canada is to be found in the spirit and energy of its own people. To evoke that spirit and energy has been the aim of Her Majesty's Government, and that it has been evoked in a manner heretofore seldom witnessed I certainly believe. I perceive in their discussions a desire not merely of defending themselves, but of increasing their power to a point which will render them a valuable adjunct to the whole Empire if any danger threaten it; and I trust that the day is not far distant when, in spite of momentary discouragements, the great scheme of federation shall be carried into effect, and when a country, greater than many of the countries of Europe, shall be established in British North America—a country not destined to be great and powerful for its own defence and security alone, but for the support of Great Britain in those times of adversity when the alliance of so great a State will be of infinite advantage to her. Believing, then, that this is the spirit in which these gentlemen are coming to this country, I submit to this House that it is undesirable to continue a discussion which must have the effect of casting doubt upon the intentions of the Canadian people. I think we ought rather to adhere to the policy determined upon by a large majority of this House, and welcome those gentlemen on their arrival in the spirit in which they left their own country.

Mr. KINGLAKE said, that he should follow the suggestion thrown out by his right hon. Friend the Secretary for the Colonies, and carefully abstain from casting any doubt upon the possibility of defending Canada. He was one of those who voted the other evening with the majority in favour of the Vote for the defence of Canada, and the intelligence afforded to the House that evening by his right hon. Friend was not such as to cause him to desire to retract the Vote he had given; for when the question was one affecting the solemn duty of defending a part of the Queen's dominions there ought to be no faltering, or semblance of faltering, on the part of either the Parliament or the country. He could not, however, agree with the arguments employed by the right hon. Gentleman opposite (Mr. Adderley) when he endeavoured to deal with the propositions of his noble Friend (Lord Elcho). The right hon. Gentleman asked which would be the country that would come forward to defend Canada in time of need? And his noble Friend answered "England." The whole spirit and meaning of his noble Friend's remarks were, not that he more than any other Member of the House would acquiesce in the invasion of Canada, but that this country should in such an emergency make choice of her own theatre of war, whether in Canada or another part of the globe. He believed that they would all agree that in case of our troops being exposed to a conflict with a vast superiority of forces there was no necessity for any wild sacrifice, and that our troops should therefore if necessary be withdrawn. But at this point he differed from his noble Friend, and also from the right hon. Gentleman the Member for Calne (Mr. Lowe), because his opinion was that if we were driven to that painful necessity, the duty of withdrawing our troops was a military duty, and not one to be undertaken beforehand by the State—it was not a duty to be undertaken prematurely upon the suggestion of an imaginary war with another country—a war which had not yet commenced, and with a country which as yet had not even quarrelled with us. But as one who voted with the majority on a previous evening, he must say that, rightly or wrongly, he and others around him had recorded their votes under the impression that Her Majesty's Government had already arrived at an understanding with the Canadian Government. He did not now, as it were, ask to retract that Vote, because they found only too clearly that that impression was unfounded. He only stated it as a fact. They knew that negotiations had been going on for years, that negotiations were still going on, and that these negotiations were of such a character as absolutely to force upon us the considerations of what were to be our relations with Canada, in case of the lamentable contingency of a war with the United States. When a State had determined the limits of the duties it was to perform, he imagined that there was no better test for measuring the extent of those duties than the endeavour to ascertain the correlative power possessed by that State—because, in such a case as this, duty and power were inseparable. Now, it appeared to him the negotiations which had been going on between Canada and the parent State would show that we had not the power—not the unlimited power—of dealing with the resources of Canada which was implied in the argument that it was the obvious and unquestionable duty of every State to defend itself. If the Isle of Wight were invaded it would be competent upon the State and Legislature to deal as it might think fit with every man on that island, to employ its resources as might be deemed proper, and to make use of every acre of its land that might be thought necessary for its defence. But could we deal with Canada in that manner? If he understood the question aright, since the concession to that country of a responsible Government of its own, we were with regard to Canada exactly in the same position as we should be with regard to any foreign and minor Power which we were desirous of protecting. The negotiations which had been carried on appeared to partake exactly of that character. It was very true that these negotiations were conducted by his right hon. Friend the Secretary of State for the Colonies instead of by the noble Lord at the head of the Foreign Office, but in the end it amounted to the same thing, and the question ought, therefore, to be treated upon the same footing. Now, if we were dealing with a foreign and minor State apprehensive of invasion from a great Power, one of the things we should most carefully abstain from would be advising the lesser State with regard to undertaking hostilities, which we might not be certain of conducting to a triumphant issue:—because no lesson of modern times had been more strongly impressed upon us than that responsibility, and that, too, of the most tremendous kind, must result from our giving advice to a minor Power. When a nation had done that she always felt herself bound in honour to make good the promises which, at all events, were implied in the advice which she had given. It appeared to him that for the purposes of this war, if such were to arise, it was of all things necessary that the understanding between the Imperial Government and the Government of Canada should be perfect. He could not but think, therefore, that the suggestions of his hon. Friend the Member for Maidstone (Mr. Buxton) were of great value. His hon. Friend would endeavour to elicit from the Canadian people some explicit declaration of their desire to have Canada defended in Canada, without regard to the consequences which they knew must result from such a war. He did not think, however, that a mere declaration on the part of the Canadian people would suffice for such a purpose, and the necessary test for proving that the Canadians were in earnest in this matter would be their willingness to resign—of course, for a time only, and for the purpose of providing against an apprehended war—the power which we on our part had willingly conceded to them. He did not suppose that there was any Member in the House, or any man in the country, who desired to revoke the concessions which we had made to the colonies; but it was of the utmost importance that two countries acting together for the purposes of war should act together as one and the same country; and unless such a state of things existed between this country and Canada he should despair of our conducting a war to anything like a successful issue. In the suggestions of his right hon. Friend the Member for Calne there were but two things objectionable. He did not at all believe that the policy shadowed forth by his right hon. Friend was at all less resolute than that suggested by any other Member of the House—indeed, he should be disposed to regard the policy advocated by his right hon. Friend and by the noble Lord the Member for Haddingtonshire (Lord Elcho) as more formidable in the eyes of an enemy than the plan of defending Canada by a war upon the spot. He believed it would be a mistake unnecessarily to limit the theatre of war in the way suggested by his right hon. Friend the Member for Calne. If his view were acceded to, they would without any necessity be giving to the supposed enemy the advantage of knowing in what part of the world no resistance would be made. At the same time, he argued that the suggestions of the noble Lord and of the right hon. Gentleman had been of the greatest value, as they very much tended to guard against the very error which was most likely to be committed. There could be no greater error at the beginning of a war than unnecessary seeking a theatre of war in the ground upon which the quarrel had arisen. It was one of the common mistakes of belligerents to confound the cause of quarrel with the business of the war, while, in point of fact, they were quite distinct things. The moment that a cause of quarrel had ripened into actual war, which it would do if Canada were invaded, then the one thing a belligerent had to think of was how best to conduct the war. He thought that some injustice had been done to Colonel Jervois, not by laying his Report before the House, but by using it as an argument for the defence of Canada in Canada. The question put to Colonel Jervois had been how best to defend Canada. If that gallant officer had been asked what, in the event of war between England and the United States, would be the best policy for England, his Report would perhaps have contained different matter, and would have led to a very different conclusion. His (Mr. Kinglake's) opinion was that we should do all we could to raise such fortifications as would secure the British troops in Canada, but that we should disentangle ourselves as much as possible from any arrangement with Canada until we knew that Canada would, in the event of war, place the parent State in full control over her resources. Without such arrangement the position of Canada towards England would be rather that of an independent State than that of an independent colony.

Mr. J. B. SMITH said: I believe every Gentleman who has yet spoken this evening voted for the fortifications; I voted against them, and am desirous of shortly stating my reasons for so doing. The right hon. the Secretary of State for the Colonies (Mr. Cardwell) deprecates further discussion on this question, but I think the noble Lord (Lord Elcho) has rendered a public service by bringing the subject again under the notice of the House. We have committed so many blunders in our policy towards Canada that we ought to be particularly cautious to escape errors for the future. Some thirty years ago the people of Canada were dissatisfied with being governed by a colonial Minister sitting in London, and prayed for the right to govern themselves. This prayer was denied, and a rebellion broke out in that country, which was only put down at the cost of several millions of money. No sooner, however, was the rebellion quelled, than we granted all that Canada asked for. Now if it were just to grant the Canadians self-government at all, was it not a gross blunder not to have granted it before they were driven into rebellion, and thus have saved the expenditure of millions of treasure and the loss of precious lives? But our blunders did not end here. When we granted to the people of Canada the right of self-government we also gave them all the public lands and all the public revenues, but we neglected to provide that Canada should do what is done by every free country in the world—namely, make the national defence the first charge on the national revenues. Notwithstanding, however, that we gave up to Canada the legitimate sources from which such expenditures should be derived, we have continued, to the present time, to provide her with military and naval armaments without any charge to her; and, moreover, we took upon ourselves to pay the charges of her ecclesiastical establishments and the expenses of the Indian Department. Hon. Members will see among the Estimates delivered yesterday a Vote to be proposed for the ecclesiastical establishments and the expenses of the Indian Departments in Canada. The course we have pursued in not requiring Canada to bear the expenses of her own military establishments is a gross injustice committed on the people of England, because it has forced us not only to pay our own taxes but also the taxes of Canada. Now the working classes of Canada are as well, if not better able than the same classes here to pay taxes, and it is on their labour that the chief taxation falls. But have we benefited the people of Canada by this course? No; on the contrary we have inflicted a serious injury upon them by destroying their self-reliance, which is the distinguishing characteristic of the English race; we have demoralized them, and created among them a pauper spirit, just as a parish is demoralized by giving parish relief to able-bodied labourers. Only the other day we called upon Canada to provide militia to guard their frontiers against American raiders; but it was not until they were dragooned into the duty by the threat of the United States to enter their territory, and by the withdrawal of our troops from the frontier and the threat of withdrawing them from the country altogether, that they raised the necessary force to prevent confederate raids upon our allies—the United States. The right hon. Gentleman the Member for North Staffordshire (Mr. Adderley) has this evening given us another evidence of the demoralization of our North American Provinces. A plan has been proposed for forming the whole of these provinces into one Confederate Government. Some of the provinces, however, object to this union; and what does the right hon. Gentleman assign as the reason? He says—

> "He has not the slightest doubt that what made New Brunswick and Nova Scotia hang back from the union was partly because they would be swamped by the greater provinces of Canada, but still more because they could not make up their minds to give up the good things which they were accustomed to get from England, and they feared they would be thrown on their own resources."

Why should they not be thrown on their own resources? They are able-bodied labourers, and would be all the better by the withdrawal of parish relief. Why do we make all these sacrifices to Canada, seeing that they are equally injurious to us and to them? It is surprising to find the amount of ignorance which exists in this country on the subject. Some think we should make sacrifices in consideration of the value of our trade with Canada; but the fact is, we derive no benefit whatever from our trade with her more than we should if she ceased to be a colony. In the first place Canada, in return for our liberality to her, imposes higher rates of duties on our manufactures than France does. Second, as she is permitted to buy what she wants wherever she pleases, she only buys of us because ours is the cheapest market. Third, our trade with Canada, instead of being important, is insignificant. The return of our total exports of manufactures to all countries for the year 1863 shows the amount to have been £146,487,368, of which our exports to Canada amounted to only £2,938,201, or just 2 per cent of our whole exports—an amount which, if it were to cease altogether, would scarcely be felt. Our military and naval expenditure on account of Canada during the last four years cannot have been much less than £2,000,000 per annum. Surely it must be admitted that the fewer we have of such customers the better. Having committed such mistakes in past times it behoves us to exercise more than usual caution in our future

Canadian policy. What are we going to do now? To build forts to provide against an enemy. What enemy, the enemy of Canada? Then Canada is best able to judge and decide what defences are necessary, and she it is who ought to defend herself against her own enemies. But is it the enemy of England that you are going to provide against? Some enemy that will attack England through Canada? There can be no enemy that will attack England through Canada but the United States. I am not one of those who think we are likely to go to war with that country; at the same time we ought not to disregard such a contingency. Now, if, unhappily, we should quarrel with the United States, is Canada, I ask, the battle-ground that any sane man would choose? It is necessary for England, as well as every other country, to change its policy from time to time with the altered state of things. Let us not shut our eyes to the great fact which has just dawned upon the world. Four years ago the army of the United States was less than 20,000 men, and her navy was composed of a few frigates. Now she is become one of the greatest military and naval powers in the world. Some gentlemen talked of our ability to defend Canada, and as a proof of it have referred to the gallant defence of that country made with 2,000 or 3,000 men some fifty years ago; but do not let us disguise from ourselves that old things have passed away—everything is become new. Have those who talk of fifty years ago been asleep during the past four years? The noble Lord the Member for Stamford (Lord Robert Cecil), however, appears awake to the new state of things. He observed in this House that no one could doubt the fact that America could send 300,000 men to the frontiers of Canada; he might have added that she can bring a force of ironclad steam-rams and gunboats, such as no other country can furnish, to bear upon the coasts and rivers of Canada. Besides, America would have this advantage over us—her base of operations would be the frontiers of Canada, while ours would be 3,000 to 4,000 miles distant. Look at the Crimean war. What an effort was made to send 30,000 men there. How many should we want for Canada? Does any thoughtful man believe we can cope with the greatest military power in the world on its own ground, with men of our own race, too, from a base of operations 3,000 miles off? I do not believe that if we were to double our national debt in such an attempt we could prevent America from taking possession of Canada in case of war. Why, then, court humiliation and defeat by erecting fortifications which we should have to defend with such enormous odds against us? One hon. Member wished Quebec to be fortified in order, if necessary, we might withdraw our army. But it would be impossible for it to run away, in case of war, without great national humiliation. I do not wish to live to see such a day. What, then, is the plain and just course to pursue? Let us not commit the folly of placing ourselves, by these fortifications, in the position of an enemy forcing us into a disadvantageous battle-ground. If Canada require fortifications she must provide them for herself, and I would not object that the sum proposed to be voted should be given to her for this object. At the same time, she should be called upon henceforth to do that which she ought to have done from the time the public revenues were granted to her—namely, to pay us all the military and naval expenses we may incur on her account. It is not improbable on these just terms Canada might no longer desire the nominal government of the mother country, but she might wish to manage her own military as she now manages her own civil affairs. The time is arrived when such a change would be beneficial to both countries; for while it would relieve us from burdens we ought never to have been called upon to bear, it will be the means of restoring Canada to a healthy state of self-reliance.

MR. ALDERMAN ROSE said, he very much feared that the effect of the debate would be very mischievous. Upon a recent occasion the House came to the resolution that Canada should be fortified; and the country was thus pledged to the policy that she would exert all her power to defend Canada in the event of its being invaded; and he thought that the Canadians had shown an earnest desire upon their part to prepare the necessary means for their own defence. This debate, however, would have a mischievous and depressing effect, because it would create in Canada the feeling that there was a great uncertainty as to what our future policy would be. We had ourselves made a great demand on the patriotism of the country to supplement our regular army in the case of emergency, and having raised a large

Volunteer force, he thought that we had a right to call upon Canada to do her part towards her own defence; and he fully believed that the Canadians were prepared to do all in their power to perform their obligations. It was not a fair argument to say that because the project of federation had not been unanimously adopted that therefore it was not to be carried out. He believed it would be carried out, and that we should have the benefit of it in the defence of Canada. He could not accept the noble Lord as an authority on the defensibility of Canada, and he entirely disagreed with the conclusions to which the noble Lord had come. They had heard from the best authorities that Canada was defensible, and that for six months in the year all military operations must be suspended by the excessive cold of the country. If the same doctrine which was enunciated by some hon. Members that evening had been propounded during the Indian mutiny and the other great struggles in which this country was involved, where, he asked, would they have been? He believed that England had attained its present prosperous condition by combating manfully with every difficulty which it encountered. If it were found that this country was pledged to the defence of Canada, and that Canada, relying with confidence upon that pledge, was determined to do her utmost, he was of opinion that the very knowledge of those facts would be sufficient to dispel the emergency which seemed impending over us. He considered that such discussions as the present had a most mischievous tendency.

Sir FREDERIC SMITH said, he could not understand what object the noble Lord the Member for Haddingtonshire had in bringing forward this Motion, as the question appeared to him to have been thoroughly settled on a former occasion. He at first supposed that the noble Lord desired to reverse the Vote for the fortifications of Canada which had been agreed to a few evenings ago; but that impression was removed when he heard the noble Lord urge upon the Government the importance of defending Quebec. But if the noble Lord were really of opinion that Quebec should be defended, what was the object of his Motion? The defensibility of Canada had been discussed by the highest military authorities in their official capacity, and it has been stated that they had given their opinion in favour of the general scheme of defence and of the particular works which had been brought under the consideration of the House. When a man, too, of such great experience as the chief of our Engineers had given his opinion in favour of it, it was rash for any military man of less experience to give a contrary opinion. They knew that the Government intended to send out to Canada, as commander of the troops there, an officer of great experience and talent. He should like to know from the Secretary for the Colonies whether that gallant officer had not stated as his opinion that the defence of Canada was feasible in the manner proposed? The Quartermaster General, too, had had this matter under his consideration, and had expressed his opinion that Canada was defensible. All these things ought to give confidence. He would pin his faith implicitly on the hon. and gallant Member for Wakefield (Sir John Hay) in any naval matter, but he maintained that Quebec and Montreal under the circumstances were perfectly defensible unless we lost the superiority at sea. The hon. Member for Stockport (Mr. J. B. Smith) had stated that America was now stronger than us upon the sea. He (Sir Frederic Smith) must respectfully decline to accept the hon. Member as an authority for such a statement. But if it be true that we are inferior to the Americans on the sea he hoped that the Admiralty would take immediate steps to amend that state of things. He agreed with the hon. Member for Bridgwater (Mr. Kinglake) that those who recommended war incurred a grave responsibility; but it was altogether another thing to advise an effectual system of defence against threatened hostilities. Was it to be supposed that it should be a question in the British House of Commons of turning our backs on the Canadians, who were willing to come forward to defend themselves? If a war took place between England and America, we must not select Canada as the battlefield. It was the last place we should choose for our fighting ground. But it would not be for us to make the choice. We must do our worst elsewhere, but, at the same time, we must do our best in Canada. If we showed a gallant spirit in the matter we should rouse the Canadians to do great things for their independence. But we were told that we were 4,000 miles from our base of operations. He had never heard an old term so much abused as was "the base of operations." Where was General Sherman's base of operations when he marched through

Georgia and Carolina? Our base of operations in respect of the defence of Canada must, of course, be on the other side the Atlantic. Our base of operations would be at Halifax, where our stores would be collected. Some hon. Members had told the House that war could be made in Canada during winter. But when one of our regiments had been obliged to march there in winter, the men were obliged to have their muskets enveloped in straw and flannel. They could not have carried them otherwise. We were told that Colonel Jervois ought not to have reported on the defences of Canada, or that the Government ought not to have produced his Report. But what had Colonel Jervois been sent to Canada for but to make a Report on the best means of defending that colony? He was to report, not on the question of our making war there, but on the best means of defending Canada. The most eminent officers in the army and the navy would have to give advice to the Government as to the way in which we should conduct a war; but Colonel Jervois had been sent out for a specific object, and he had accomplished that object in a manner that did honour to himselt, and reflected credit on the corps to which he belonged. The argument that had been used as to the base of operations for the defence of Canada did not apply at all—it was a mistaken phrase. Our base of operations, in the case of hostilities in the summer, must necessarily be at Halifax and Bermuda. In case of a war with America we should have a fleet in the St. Lawrence; and if, as the hon. Member for Stockport said, our navy was inferior in numbers to that which the Americans could bring there, the sooner that state of things was altered the better. He was glad to see the noble Lord the Secretary of the Admiralty in his place, because he would be able to tell the House whether our navy was or was not inferior to that of the Americans. The Government should be urged to proceed with the defences of Canada quickly, for delay was dangerous upon two grounds. In the first place, an enemy might be tempted to take advantage of the weakness of Canada; and in the next place, if we delayed with our works of defence, Canada might think us lukewarm in these matters, and neglect those precautionary measures which, on her part, were so necessary. We should do our part; and we should give any assistance that we could give to the colony from Imperial funds if there was a certainty of our advances being repaid by Canada.

Major ANSON said, that he would undertake for every one officer which the hon. and gallant Member opposite could produce in proof of Canada being defensible to bring forward ten who would state that Canada was indefensible. In the remarks he was about to address to the House he should express this opinion. He had taken great pains to ascertain the views of experienced officers who had been out in Canada since the affair of the *Trent;* and he thought the House would be astonished at the concurrence of opinion against the notion that Canada could be defended. He did not think he had met with one officer who did not answer the question he had put to him to the effect that Canada was utterly and hopelessly indefensible. And the officers who expressed this opinion were soldiers in every sense of the term—men distinguished by their efficient and active services in the field, and not mere theorists who could make anything appear defensible upon paper. Why had Colonel Jervois been sent to report on the defences of Canada? Colonel Gordon had been previously sent out to examine into the condition of Canada. Now, no man stood higher than Colonel Gordon in his profession—he was one of the best Engineer officers in the army. And what was the nature of his Report? Colonel Wetherall and Colonel Mackenzie, whose equals in the service could scarely be found, had also investigated this subject. They formed the best staff of officers that were ever sent out on any expedition. Well, did not all these able and experienced men report upon the defences of Canada? He believed that they did, and that they rather astonished the War Office by the Report which they gave. Why was not their Report produced to Parliament? Why was Colonel Jervois sent out to Canada after they had come home? Now, the whole of this question turned upon the point whether Canada was or was not defensible. By the answer to that question the House ought to be guided in coming to a decision on the course to be taken. If Canada were not defensible, we ought to withdraw our troops to-morrow. The Government had not brought forward a single military authority to show that Canada was defensible. It was true that Colonel Jervois was sent out to Canada to report upon the best mode of defending Canada. Colonel Jervois had sent in an able Report, in which he (Major Anson) had no doubt he recommended the very best means of defending Canada so far as engineering operations went. The only two authorities quoted by the Government in favour of Canada being defensible were Mr. Rose and Mr. Galt—no doubt two excellent gentlemen, but certainly no great military authorities. It was said that it was easy to defend Montreal by keeping up our communication with that place and Quebec if we retained our supremacy on the St. Lawrence. But he should just like to ask hon. Members what chance had we of doing that? Just let them look into the question. He believed that there was no portion of the American system of attack so highly organized as the numerous gunboats which swarmed on the American coasts and rivers. We had not got at the present moment, he believed, one single iron-clad gunboat which could navigate the St. Lawrence. Did we know whether we could build iron-clad gunboats capable of crossing the Atlantic, and of then entering the St. Lawrence and standing the fire of the heavy guns planted on the south side of that river—for he supposed we were not going to hold the south side of the St. Lawrence. Could we build such boats here and send them out ready for service? Could we build them in pieces here and send them out to be put together at the other side of the Atlantic in sufficient strength to stand against the American batteries? The hon. and gallant Gentleman (Sir Frederic Smith) objected to the phrase "base of operations." Well, we had no dockyards or arsenals in Canada, and therefore when they talked of the base of operations, that must of necessity be in this country and not in Canada, from the want there of any resources of that kind. England, he contended, was, and must be, the base of operations. The chances were, so far as he could judge, that instead of our having the preponderance on the St. Lawrence the Americans would have it. With regard to the fortifications of Canada, he had received a letter from one of the best officers in the British service upon the subject. That gallant officer said, that—

> "If the proposal is carried out of fortifying Montreal and other places no advantage will be gained; as, though such fortifications may afford shelter, an invading army could have its own way in Canada, particularly in the west, by simply avoiding the few strongholds. I do think that the British soldiers, who in all parts of the world face cheerfully danger and disease, would be placed in a false position, far apart, with no support but a militia force, which as yet we know very little about; while the Americans can at any time, and without difficulty, convey any amount of men and warlike stores by the railways, which lead to so many vulnerable points along the frontier. This question about the defences of Canada is a common-sense one, which in my humble opinion can best be decided by officers of experience, who know not only what an army can do, but also what it cannot do.

He thought the latter question was lost sight of when we talked about the easy way in which Canada could be defended; and those who argued that Canada could be defended as well as any other country could have read but little of military history, or studied the question at all. Now, with regard to the winter, there was little doubt but that the severity of the weather would stop active military operations in that country. But so far from the winter assisting in the defence of Canada, it would be much more fatal to our garrisons imprisoned in fortifications and cut off from communication with the world than to the enemy, who, by means of their railways running into their camps, would be able to carry off their wounded to a more genial climate, and be able also to get any amount of stores and supplies forwarded to them. So far as the military question was concerned, he regretted to state that he had not heard on the part of Her Majesty's Government any attempt to meet it in argument. All they said was that Canada could be defended, and there was an end of it. But they gave no proof that she was practically defensible.

Sir JOHN PAKINGTON: Sir, although the hon. and gallant Gentleman who has just spoken is a young Member of this House and is a young officer—one, however, who has gained reputation in every quarter of the world—it is impossible to deny that whatever falls from his lips on a subject of this nature is entitled to respectful attention. The impression made upon my mind by his statements this evening is to strengthen the feelings I before entertained, that we have great reason to complain of Her Majesty's Government in relation to this delicate and difficult question. In the first place, so far as I am informed, we have reason to complain of the manner in which they have produced the Report of Colonel Jervois. The hon. and gallant Member has adverted to the Report which he supposes—for he goes no further—has been made by Colonel Gordon and Colonel Wetherall. I do not know whether there is such a Report—at all events, I am not aware of its existence; but it is currently reported—it is everywhere believed—that what has been laid upon the table of the House by Her Majesty's Government as the Report of Colonel Jervois is nothing but its covering letter, and that we have, in fact, never seen that Report. I should like to ask the Government whether that is true or false? They have come down to this House and asked for a Vote for the defences of Canada upon the grounds furnished by Colonel Jervois's Report; and my belief is that up to this moment we have never seen that document. I must say we have a right to complain of the course which Her Majesty's Government have thought fit to adopt in reference to this question during the last four years. From the moment of the occurrence of the *Trent* affair our relations with the United States have been neither comfortable nor satisfactory, and I think it neither delicate nor desirable for Government to have reserved it until this moment to force the subject into a degree of prominence. I think if the Government had taken a wise course they would have seen the possibilities hanging over us, and during the last four years would have, in concert with Canada, gradually prepared us for events, and have placed us in a position in which, if the worst should happen, we should have been better prepared than we are at present to face the exigencies of war. Again, I complain, if Her Majesty's Government meant to do anything, of the paltry course they have taken in proposing a Vote of £50,000 to the House. Now, what has been the result of that proposition? We have heard it stated by the noble Lord the Member for Haddingtonshire (Lord Elcho) that upon the arrival in Canada of the information that a Vote of £50,000 had been proposed in this House for the defence of Canada, the first impression it made on the minds of the people of Canada was an impression of incredulity. They said it could not be that Her Majesty's Government had only proposed a Vote of £50,000; that there must have been some mistake in the figures; and that Her Majesty's Government must have meant £500,000. I stated on a former evening, and I repeat it, though Her Majesty's Government stated that the amount was as large a sum as could be expended within the year, that that is not the only consideration—the question is, what impression you are to produce upon other countries; and I say with regard to the impression to be created in the United States of America, and also in Canada, that Her Majesty's Government could not have adopted a weaker or a more unwise policy on such a subject as this than to come down to the House and ask for a Vote of only £50,000. But the point upon which I most complain of Her Majesty's Government is that they have misled the House with regard to the existing state of affairs between the Canadian and the British Governments. I have no hesitation in stating it, and I believe that there are not two men in this House who went into the lobby in the division that took place the other evening on the proposal of Her Majesty's Government who did not fully and entirely believe that there was a distinct understanding between the Ministers of Canada and the Ministers of the Queen of Great Britain with regard to the policy to be mutually adopted. I have no hesitation in saying that my belief on that point was complete and explicit. I say the conduct of the Government on that occasion was not ingenuous. I myself heard a question upon this subject asked by no less than three Members of the House—by the right hon. Member for Huntingdon, the hon. Member for Horsham, and the hon. Member for Norfolk. Those hon. Members positively and deliberately put the question to the Government, "Are you proposing this Vote on the distinct understanding with Canada what is to be her proportion of the expense." I say it was not candid of the Government, knowing, as they must have done, that no such understanding existed, and that the whole question remained open, not to give an explicit answer to that question. The inevitable result of their silence was that the House was practically misled upon the subject. So far from there being a complete understanding between our Government and that of Canada on this point, we find that the intention of Government as to the fortifications caused the greatest surprise when it became known in that country; and we now find that there is at this very moment on the high seas a deputation sent over by the Canadians to negotiate with us as to the proportion of the expenses each country is to bear. I think it is far from creditable to Government that at this moment, after they have come before the House to ask for a Vote for these fortifications, they know not what the intentions of the Canadians are in respect to these works, neither are the Canadians aware of ours. I can only attribute this feeble and halting policy to the same cause which has produced other bad results—namely, a division of opinion in the Government. I cannot understand what can have been the motives of Her Majesty's Government in coming down to this House, and asking for this Vote, without being prepared to state what were their intentions and what were the intentions of Canada upon this subject. With regard to the future, I must say that I feel impressed with the language I have heard this evening from my hon. and gallant Friend the Member for Lichfield (Major Anson). He has spoken upon this subject with authority, and with a freedom from party bias; and it is incumbent upon the Government to explain more fully than they have done upon what grounds they have not produced the *bonâ fide* Report of Colonel Jervois, upon which, we are told, we are proceeding, and what answer they are prepared to make to the high professional opinion we have heard expressed by my hon. and gallant Friend, and those other officers to whom he has referred. I freely say my impression has hitherto been of an opposite character. I do not regret the Vote I gave the other evening in favour of the Government proposition. My opinion is strong and decided that so long as Canada is loyal she cannot be abandoned. I heard with sorrow and with entire dissent the language made use of on a former occasion by the right hon. Member for Calne (Mr. Lowe). I do not say that his policy is not entitled to credit for its prudence, and that, perhaps, it might be better with nations as with individuals if they were, instead of showing fight, to run away. No doubt, the running away would be cheaper than fighting. ["No, no!"] I am not alluding to my noble Friend, but to the language of the right hon. Gentleman the Member for Calne, and I do not think that I greatly exaggerate that language when I say that, in dealing with a question of this kind, it is practically running away, though I entirely dissent from his and other hon. Members' views upon that point. I can imagine no greater misfortune, not only to the two countries but to mankind, than a war between this country and America, and I hope and trust that the Government of this country will not give the United States the slightest excuse for a quarrel between them; but if, unhappily, a quarrel should be forced upon us we have but one course to pursue, which is to meet it with the whole force and power of the Empire. I am sorry hon. Gentlemen have raised the question whether, in the event of that unhappy circumstance arising, we should fight America in Canada or elsewhere; but if that unhappy event should arise, which God forbid! we must fight her wherever she is vulnerable, and, above all, if Canada is loyal we must not desert her. I entirely go with the noble Lord in that policy, and whatever difference of opinion I might have with the noble Lord on other subjects, I believe he is one of the last men in this country to advocate the desertion of a loyal people attached to this country as a portion of the Empire. Then arises the question, is there any force or not in the arguments of my hon. Friend? Is the defence of Canada a practical impossibility or not? England has not been in the habit of regarding anything of this nature as impossible; it has not been by following a prudent policy like that which is now recommended that we have arrived at our present pitch of grandeur. Had we been guided by such a policy, we should not have been what we are in India; we should not have captured Sebastopol or gained any of the hundred triumphs of which we are so proud. My noble Friend (Lord Elcho) smiles. Is he thinking of the language which he used in the early part of the evening — that we must not push the doctrine of honour too far? That is language which is not acceptable either in this House or elsewhere. Personally, I am sure that my noble Friend is one of the last men who would think of abandoning the honour of England; but when he and my hon. and gallant Friend the Member for Lichfield (Major Anson) raise a question of most grave and serious importance, it behoves the Government to state candidly to the country upon what authority they are acting. However high may be our sense of honour, and however indomitable the courage of our people, it would of course be folly to attempt anything which is really an impossibility; and if the defence of Canada is impossible, if we are to regard the question in this serious light, let us address ourselves to it in time. Do not let us wait till the emergency of war arrives, and then say that the thing cannot be done. Now is the time—when this deputation is on its way—now is the time for the Government to make up their minds deliberately, calmly, and carefully as to the policy which they mean to adopt, and I hope that they will then candidly declare to the House what that policy is to be.

Mr. CHICHESTER FORTESCUE said, that although he entirely agreed with what had fallen from the right hon. Baronet (Sir John Pakington) towards the close of his remarks, he could not concur in his earlier observations. The first charge which the right hon. Baronet made against the Government he should leave to be dealt with by his noble Friend (the Marquess of Hartington); but this he must say, that whatever military advice Her Majesty's Government might have received from Colonel Jervois, Colonel Gordon, or others, which they had not produced, they were in possession of none which was inconsistent with those opinions of Colonel Jervois which they had laid before the House. The right hon. Baronet made a second charge which had been answered over and over again, and accused the Government of proposing to contribute no more than the paltry sum of £50,000 towards the defences of Canada. Only the sum of £50,000 was asked for this year, because, according to the professional advice given to the Government, that was the largest sum which could properly be expended upon Quebec and Point Levi during the next twelve months. The right hon. Baronet did not quite correctly represent the substance of what was said by that eminent person Mr. John A. Macdonald in the debate of the 7th of March. That gentleman supposed that the sum voted was £30,000, and not having heard the explanations of Her Majesty's Government, he expressed surprise at the smallness of the amount, and suggested that it must be a mistake for £300,000. Oddly enough Mr. John A. Macdonald had hit upon the exact amount which the Government were asking the House to vote —namely, £200,000 for works at Quebec, and £100,000 towards their armament. The taking of a small sum this year was merely a question of time and arrangement. But Mr. John A. Macdonald went on to say that—

> "He had every reason to believe that these negotiations would result most happily in defences being provided which would secure the protection of Canada without pressing too heavily on the resources of the country."

In the third place, the right hon. Baronet complained that his right hon. Friend the Secretary for the Colonies had misled the House by the statement which he made the other night, and which induced them to vote by an overwhelming majority the first instalment of the grant towards the defences of Canada. He entirely denied that either his right hon. Friend or his noble Friend at the head of the Government said anything which could have had the effect of misleading the House, or inducing them to assent to a Vote which they would otherwise have rejected. His right hon. Friend never for a moment pretended that he was in possession of official documents which would show a detailed arrangement between the Home Government and that of Canada, as to the contribution which each was to make towards the defences of that country. The hon. Member for Norfolk (Mr. Bentinck), indeed, alleged it as a serious charge against him, that he produced no such arrangement. His right hon. Friend merely assured the House of the general confidence which he entertained as to the part which the Canadian Government were prepared to take in this matter. But, more than that, he did not rest the justification of the Vote which was then before the Committee upon anything which was to be done by the Canadian Government, but maintained that even if they did not fortify Montreal, it was right and proper that the Imperial Government should fortify Quebec. Her Majesty's Government were indeed convinced that the Canadians were prepared to take upon themselves a share of the expense of providing their own defences, and that conviction had since been confirmed by the fact that the Canadian Parliament had voted 1,000,000 dollars for that purpose; but what they said was, that independently of the fortifications of Montreal, it was right and expedient that the Imperial Government, thinking it their duty to maintain a considerable force in Canada, should fortify Quebec in connection with that force. He, therefore, denied that the right hon. Baronet had established any of the charges which he had made against the Government. He was, however, happy to agree entirely with everything which the right hon. Baronet had said in the latter part of his speech. He had never listened to any debate in which it was more difficult to make out what was the real meaning of the speakers. He did not at that moment comprehend what was at the bottom of the mind of his noble Friend who introduced the question. Did he mean that Canada was to lay down her arms? because that was the only true and logical conclusion from his arguments. After all these dreary, dispiriting, and, if they had any effect at all, most mischievous proclamations to the people of Canada

—after telling them that they were indefensible, how could we have the face to urge them, as we had for years past been doing, to make preparations for their defence? The fact was that our military authorities had concentrated all their attention and interest upon our own gallant troops; but the Canadians had the same interest in their gallant forces, and if we were continually proclaiming that it would be folly and madness to expose our troops to destruction in Canada, the Canadians would draw their own inference from that doctrine; and it would be unpardonable in us to continue to exhort them to organize their militia, to increase the number of their Volunteers, and to engage in war, when at the same time we told them that the task which we sought to impose upon them was a hopeless one. Let us be consistent in this matter, and if we held these views with regard to our troops, let us—though we should be applying to the New World a rule which had never been accepted in the Old one—tell the Canadians at once that their only safety was to be found in laying down their arms and inviting no attack. His belief in regard to these matters was that common sense—he was almost ashamed to use the word, they had heard so much about common sense on both sides—was of more use than military knowledge, and that the rules of common sense on the other side of the Atlantic were much the same as they were on this. When he saw that in Europe a comparatively weak Power believed that its true safety lay in disarming in the presence of a superior Power, he should be ready to recommend the adoption of such a course by Canada. When, for instance, he saw Belgium dismantle the fortifications of Antwerp and disband her army, he should be prepared to concur with his noble Friend (Lord Elcho), who, if he was consistent, ought to recommend Canada to adopt such a measure. Belgium, however, though infinitely inferior to Canada in natural means of resistance, was doing her best to play a gallant part in her own defence—not, of course, expecting that she was to defend her territory unassisted, and for ever, against a superior Power—and who expected Canada to do that?—but knowing that she would make herself, as Canada would, a very tough customer to any assailant, and that she would be assisted, as Canada would be, by powerful allies both within her territory and without it. When he saw Belgium taking that course, he was convinced that that was the one which ought to be followed in the New World. A good deal had been said in the course of the discussion about a supposed dilemma, which in reality was no dilemma at all. It was contended by the right hon. Gentleman the Member for Calne that the question at issue involved the alternative of defending Canada either in Canada or elsewhere; but to the Government there was no difficulty on the point, for they were of opinion that Canada should be defended both in Canada and elsewhere. And he thought that the majority of the House had shown plainly enough that they concurred in this view of the matter.

General PEEL: I have already given my opinion as to the policy of defending Canada, and I do not intend to trespass upon the time of the House for more than a few minutes on this occasion. I regret that anything should have occurred to render necessary a renewal of the debate on this subject, or which should have the appearance of weakening in any way or producing any misunderstanding with regard to the unanimous decision of the House of Commons that if Canada should be attacked on our account it was our duty to defend her. Even the right hon. Gentleman the Member for Calne, I think, went that length; and although he, as well as my noble Friend the Member for Haddingtonshire, says it is not possible to do so—[Lord Elcho: Not in Canada]—still they admit that it is our duty, if possible, to defend Canada if the Canadians are prepared to assist in defending themselves. Now, I do not at all wish to speculate as to the power which might be brought to bear either in attacking or defending Canada. The Canadians themselves, I imagine, ought to be the best judges whether they would be able to resist attack or not; and, for my own part, I can only say that if they are prepared to display the same devotion and energy as the Americans of the South have exhibited they may hope, with our assistance, to be able to resist any attack which may be made upon them. I recollect having heard it said within the last twenty-five years that it was impossible to defend this country, and that if England were invaded the best thing the Guards could do would be to march out of London and leave it to take care of itself. But what was the answer of the Minister of that day to those statements—of a Minister who could not be accused of being warlike—the late Sir Robert Peel? He said—

> "In the first place, the Guards would not march out of London; and, in the next place, if they did they would be pelted by every old woman whom they met."

Such, too, I cannot help thinking would be the fate, and deservedly, of the Members of this House if they came to the conclusion that in the event of Canada being prepared to defend herself we should afford her no assistance. There is not, I believe, a single hon. Gentleman — not even the hon. Member for Birmingham—who goes further than myself in approving the policy of not interfering in the affairs of other nations, or who would more deprecate any measure tending to drag this country into a war with America or any other State, unless our honour was involved. There is, however, a great difference between not fighting another person's battle and not fighting our own. It would be no question of our going to war for Canada; but, that if war should be declared against us, and that Canada was attacked on our account, and was defending herself, and fighting in our battle, that we should assist her to the utmost of our power. This is said to be "fair weather policy" and "tall talk;" but I know of no policy so deserving of being designated "foul weather policy" and "small talk" as that of those who proclaim to the world that we do not intend to defend ourselves. If, indeed, we are in such a state of helplessness as to warrant that conclusion, what has become of the £185,000,000 which, including the Estimates of the present year, have been voted by the present Parliament for the naval and military service of the country? We may well be asked whether we did not divide the money among ourselves. I believe that if any foreign Minister were to take up our Estimates he would imagine us to be a great military nation. We have 220,000 regular troops in a state of great efficiency; we have 120,000 militia, and 150,000 Volunteers, besides the Yeomanry and the Pensioners; which form a very formidable array. But, then, there is another force with respect to which, I am sorry to say, I was indiscreet enough to put a question to the Government the other evening; we have got an army of reserve, which is formidable exactly in proportion to the mystery observed with respect to it. No army is so much to be feared as that about whose movements or numbers you know nothing, and which, for all you can tell, may be in your rear, or on your flank. Indeed, my own opinion was that this army of reserve must have been in the backwoods of Canada, for we never see it in this country. I only hope that the gunboats about which we have heard so much are not of quite so mythical a character. But, be that as it may, I may, in confirmation of what has fallen from my right hon. Friend near me (Sir John Pakington), say that I, too, was under the impression that some understanding had been come to between Her Majesty's Government and that of Canada on this question of defences; because I inferred from the replies of the right hon. Gentleman opposite, in answer to repeated questions as to whether the defences of Montreal and those of Quebec were to be carried on at the same time, and whether our fortification of the latter depended upon the Canadians taking upon themselves the defence of the former place, that there was between the two Governments some sort of agreement on the subject, and I believe the House concluded that there was a proper understanding between the two Governments. I do not now wish to draw any comparison between the force which might be employed in attacking Canada and that which ought to be engaged in defending the province. My hon. and gallant Friend the Member for Lichfield (Major Anson), than whose authority as a military man I am willing to admit there is no higher, has given it as his opinion that Canada cannot be defended; but I, for one, am not prepared to relieve the Government from the responsibility which attaches to their carrying out that policy which they deem to be right. I cannot consent to act on the opinions of military men, however distinguished, who are not responsible for those opinions. I prefer leaving the matter in the hands of the Government, whose duty it is to carry into execution those measures which have been sanctioned by the House of Commons. I hold in my hand a letter in which it is stated that it is perfectly possible to defend Canada; but, for the reasons I have just mentioned, I should not lay any stress upon it. The hon. Member for Stockport (Mr. Smith), I may add, in speaking of America, said she was in a very different position from that which she some time ago occupied. In that statement I perfectly concur with him. Four years ago America had no standing army; and what is it that she has since done? Why, she has raised an army second to none, whether you take into account the bravery of the men of whom it is composed or the merits of some of the officers. Am I alarmed by this fact? Not at all; because I see no reason why we, with all our resources, with the standing army which we have ready at hand, and the number of experienced officers which we possess, should not in a short time be enabled to cope with America or any other country. I sincerely trust we may not have occasion to enter into a war, but if such a misfortune should happen, it must be no little war, or must England ever submit to any humiliation that the last man, or last guinea she has got, can save her from.

MR. CARDWELL wished to say, in explanation, that he never said anything intended to confirm the impression that any agreement had been made between us and the Canadian Government with respect to these defences. He always understood that we acted on our own responsibility; and when the hon. Member for Norfolk (Mr. Bentinck) put questions on this subject he (Mr. Cardwell) stated twice, in order that there might be no mistake, that no despatch had been received which would justify him in giving a positive assurance on that point.

GENERAL PEEL said, his complaint against the right hon. Gentleman was rather that he had never answered explicitly the questions which had been put on the subject than that he had made any positive statement.

MR. LAIRD said, that as the House was of opinion that Canada should be fortified, the sooner the fortifications were commenced the better. The hon. and gallant Major who recently spoke (Major Anson) seemed to doubt the possibility of sending out armour-clad vessels in pieces; but such a proceeding was very practicable. When a difficulty arose some twenty-five years ago in the East Indies with respect to Russia, he was instructed by the Government to send out several armed vessels in pieces, and they arrived at their destination, and were afloat on the Euphrates before people in this country knew that they had been ordered. There was no doubt, then, that it was possible to send out armour-clad vessels in pieces, and put them together in Canada. He had sent out a vessel to Savannah in pieces, and had no doubt that it had since been adopted as a gunboat and used in the present wars. In reply to the question, whether this country had any armour-clad vessels fit to go up to Montreal, he could state that four capable of reaching that point were now ready. They were the *Scorpion*, *Wyvern*, *Research*, and *Enterprise*. Two other iron-clad vessels were building—the *Viper* and *Vixen*, which could get up to Montreal, and from thence, through the locks, to Lake Ontario. They might be ready for sea by the next summer; and there were no other iron-clads able to go beyond that point. If it were thought desirable to send out other iron-clads, there would be no difficulty in building them so that they could pass through the locks between Lake Ontario and Lake Erie, or they might be sent out in pieces. With respect to the defences of Canada, the basis of operations was an important consideration. That basis must in winter be Halifax and Bermuda; but both those places were deficient in means for repairing vessels, and until the Government brought forward a scheme for remedying this deficiency, this country would stand at great disadvantage in time of war. In the event of a war with America, he hoped the Government would not only be prepared to hold their own, but to carry on offensive operations by sea if necessary. We ought to be prepared with the means of offence as well as defence, and the Government ought to lose no time in making their preparations.

THE MARQUESS OF HARTINGTON, in reply to some observations which fell from the hon. and gallant Member for Lichfield (Major Anson), said, it was true that Colonel Gordon and other officers had been sent to Canada at the time of the *Trent* affair, and had made a Report, which was in the possession of the War Office; but he denied that there was anything in that Report implying that, in the opinion of those officers, it was not possible to defend Canada. On the contrary, they drew up a plan of defence resembling in many particulars the scheme of Colonel Jervois. It was true that Colonel Gordon's plan for defending the Western Provinces differed from that of Colonel Jervois; but in Colonel Gordon's Report there was not one word showing that Canada was not defensible. The hon. and gallant Member said that the conclusion of the great majority of military men was adverse to the opinion that Canada was defensible. Now, he thought, with the right hon. and gallant

Gentleman opposite, that while according all possible deference to the judgment of the hon. and gallant Member for Lichfield, very much value should not be attached to opinions given by those who were not responsible. It was very strange, if there were such unanimity in the army against attempting to defend Canada, that every one of the officers whom the Government felt it their duty to consult expressed a contrary opinion. Not only Colonel Jervois, but also Colonel Gordon, Sir William Fenwick Williams, and other military officers, held sentiments at variance with those expressed by the hon. and gallant Member for Lichfield. But even if military opinions were against the Government he should deny that this was a question on which military men alone were able to give an opinion. He had always admitted that it would be impossible to preserve intact the whole frontier of Canada, as it was impossible to preserve intact the frontier of any continental country having on its border a great military Power; but a point on which civilians were competent to give an opinion was, that by the expenditure of a certain sum, and by raising a certain number of men, it was possible to defend certain points; and if those points could be held, it would not, the Government thought, be worth while for an enemy to attack that country at all. The Government anticipated that they would be able to hold Quebec, if Canada, as they had every reason to believe she would do, performed what she had promised. If the Canadians would defend Montreal, it would be possible to defend the line from Quebec to Montreal; and if Canada were willing to expend a larger sum, and raise more men, it would be possible to defend the line of the Upper Province, and maintain an intrenched camp in Western Canada. There was one other observation he wished to make. The right hon. Member for Droitwich (Sir John Pakington) remarked on the smallness of the proposed Vote. Now, it had been repeated over and over again that in fixing the sum for the present year the Government acted on professional advice, and they were told that the sum proposed to be voted was all that could be usefully expended during the year. The right hon. Gentleman said that the Government ought to have asked for a larger sum; but no useful end could be answered by attempting to delude the House or the world into the notion that Government were going to spend a larger sum within the year than they really intended to do. The right hon. Baronet opposite, had he been in office himself, would not have asked for a larger amount. In the first year of commencing a work it was not easy to spend profitably a large sum of money, although much had to be done in preliminary matters. He considered that the Under Secretary for the Colonies had completely answered all the other questions; and there was no ground for saying that there was such a diversity of opinion among military men as had been stated.

Lord ELCHO, in withdrawing his Amendment, said, he desired to offer an explanation with respect to two points on which he had been misunderstood by some hon. Gentlemen. What he had said with regard to Quebec was that he thought this country ought to fortify it; and with regard to the honour of England, while admitting that England could not be too jealous of her honour, he nevertheless was of opinion that in fighting Canada's battle it was not necessary for the honour of England to fight it on Canadian soil.

Amendment *withdrawn.*

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Sir STAFFORD NORTHCOTE asked whether the Government would postpone the War Office Vote till after Easter. If money were required in the meantime, he supposed there would be no difficulty in obtaining a small Vote on account.

The Marquess of HARTINGTON said the Vote had already been postponed as late as possible, and every exertion had been made to place the Reports relating to the War Office in the hands of Members in time for that discussion. It was very desirable that the discussion on the subject should be taken that night, as it had occasioned considerable amount of excitement in the War Office.

General PEEL thought that was a reason why the matter should not be hurried over that night.

Colonel GILPIN said, there could be no reason for hurrying on the Vote, as it could not come into operation before the 30th June.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY *considered* in Committee.

CIVIL SERVICE ESTIMATES—on Account.

(In the Committee.)

(1.) Original Question [April 3] again proposed,

"That a sum, not exceeding £1,748,000, be granted to Her Majesty, on account, for or towards defraying the Charge of the following Civil Services to the 31st day of March 1866: viz.

Class I.

Public Buildings, Ireland	£33,000
New Record Buildings, Dublin	3,000

Class II.

Two Houses of Parliament, Offices	18,000
Treasury	14,000
Home Office	7,000
Foreign Office	18,000
Colonial Office	8,000
Privy Council Office	7,000
Board of Trade, &c.	18,000
Privy Seal Office	1,000
Civil Service Commission	3,000
Paymaster General's Office	6,000
Exchequer (London)	2,000
Office of Works and Public Buildings	8,000
Office of Woods, Forests, and Land Revenues	8,000
Public Record Office	6,000
Poor Law Commissions	20,000
Mint, including Coinage	14,000
Inspectors of Factories, Fisheries, &c.	10,000
Exchequer and other Offices in Scotland	2,000
Household of Lord Lieutenant, Ireland	2,000
Chief Secretary, Ireland, Offices	5,000
Inspection, &c. of Lunatic Asylums, Ireland	1,000
Office of Public Works, Ireland	6,000
Audit Office	9,000
Copyhold, Tithe, and Inclosure Commission	5,000
Inclosure and Drainage Acts; Imprest Expenses	4,000
General Register Offices, England, Ireland, and Scotland	17,000
National Debt Office	4,000
Public Works Loan Commission and West India Relief Commission	1,000
Lunacy Commissions	2,000
Registrars of Friendly Societies	1,000
Charity Commission	5,000
Local Government Act Office, and Inspection of Burial Grounds	2,000
Landed Estates Record Offices	1,000
Quarantine Expenses	1,000
Secret Service	8,000
Printing and Stationery	100,000
Postage of Public Departments	35,000

Class III.

Law Charges, England	20,000
Criminal Prosecutions, &c.	70,000
Police, Counties and Boroughs, Great Britain	65,000
Crown Office, Queen's Bench	1,000
Admiralty Court Registry	3,000
Late Insolvent Debtors' Court	1,000
Probate Court	21,000
County Courts	40,000
Land Registry Office	£2,000
Police Courts, Metropolis	5,000
Metropolitan Police	40,000
Lord Advocate and Solicitor General, Salaries	1,000
Court of Session	5,000
Court of Justiciary	3,000
Exchequer, Scotland, Legal Branch	1,000
Sheriffs and Procurators Fiscal not paid by Salaries, and Expenses of Prosecutions in Sheriff Courts	4,000
Procurators Fiscal, Salaries	3,000
Sheriff Clerks	4,000
Register House, Edinburgh, Salaries and Expenses of Sundry Departments	4,000
Law Charges and Criminal Prosecutions, Ireland	20,000
Court of Chancery, Ireland	2,000
Courts of Queen's Bench, Common Pleas, and Exchequer, Ireland	4,000
Process Services	3,000
Manor Courts Compensations	1,000
Registry of Judgments	1,000
Court of Bankruptcy and Insolvency, Ireland	2,000
Court of Probate, Ireland	3,000
Landed Estates Court	3,000
Dublin Metropolitan Police and Police Justices	10,000
Constabulary of Ireland	200,000
Four Courts Marshalsea Prison	1,000
Inspection and General Superintendence of Prisons	5,000
Prisons and Convict Establishments at Home	80,000
Maintenance of Prisoners in County Gaols, &c., and Removal of Convicts	90,000
Transportation of Convicts	10,000

Class IV.

Public Education, Great Britain	175,000
Science and Art Department	45,000
Public Education, Ireland	90,000
University of London	2,000
Universities, &c. in Scotland	5,000
Queen's Colleges, Ireland	2,000
Belfast Theological Professors, &c.	1,000
British Museum	35,000
National Gallery	10,000
Scientific Works and Experiments	3,000

Class V.

Clergy, North America	1,000
Justices, West Indies	1,000
Western Coast of Africa	5,000
St. Helena	2,000
Falkland Islands	2,000
Labuan	2,000
Captured Negroes, Bounties on Slaves,	12,000
Commissions for Suppression of Slave Trade	3,000
Consuls Abroad	75,000
Ministers at Foreign Courts, Extraordinary Expenses	4,000
Special Missions, Outfits, &c.	6,000

Class VI.

Superannuation and Retired Allowances	60,000
Polish Refugees and Distressed Spaniards	1,000
Relief of Distressed British Seamen	9,000

Miscellaneous Charges, formerly on Civil List	£1,000
Westmoreland Lock Hospital	1,000
House of Industry Hospitals	2,000
Cork Street Fever Hospital	1,000
Dr. Stevens's Hospital	1,000
Concordatum Fund, and other Charities and Allowances, Ireland	1,000
Non-conforming and other Ministers, Ireland	15,000
Class VII.	
Temporary Commissions	3,000
Patent Law Expenses	6,000
Fishery Board, Scotland	4,000
Local Dues on Shipping under Treaties of Reciprocity	16,000
Inspectors of Corn Returns	1,000
Miscellaneous Expenses from Civil Contingencies	2,000
Total	£1,748,000

Lord ROBERT CECIL said, that when he opposed the Vote late the other night he then felt, as he felt still, that, however irregular the proposal of the Government might be, it was impossible to resist it without inconvenience to the public service. He had no wish to carry his opposition any further; but he earnestly appealed to right hon. Gentlemen on the Treasury Bench to take some steps to avoid placing the House in what it must feel to be the humiliating position of professing to regulate an expenditure which it was not allowed to discuss in detail. If the effect of the Report of the Committee, as stated by the First Lord of the Treasury the other night, was that Votes on account must take place of that enormous amount, because the balances left upon the Votes of the previous year had to be paid back into the Exchequer, then there would be no other means of restoring regularity to the financial business of the House than by fixing the financial year to begin on the 1st of July instead of on the 1st of April. If the present system continued, they would have large Votes on account for all the items of charge, without giving the House an opportunity of determining whether the expenditure was politic or not.

Viscount PALMERSTON said, the noble Lord was mistaken in supposing that a Vote on account precluded the most detailed discussion by the House of each head of charge to which the Vote applied. A Vote on account being only a portion of the total sum to be voted, enough remained under each head to enable the House to discuss in the greatest detail the separate items under those heads, and to stop, if it thought fit, any further expenditure upon them. Whenever the House, on going into the Estimates in detail, determined that any given Vote should cease, it would cease of course, and no further expenditure would be incurred after the date to which the Vote on account would carry the particular service concerned. The practice of voting on account was inevitable, owing to the balances being paid back into the Exchequer.

Mr. WALPOLE said, he did not understand his noble Friend (Lord R. Cecil) to wish now to stop the Vote on account, but to urge that in future years, when Votes on account were likely to be taken before Easter—a practice which, though resulting from the change that had taken place in regard to the balances, had yet put the House in a somewhat new position—the Government should lay on the table the particulars relating to those Votes.

Mr. CARDWELL thought it would often be extremely inconvenient to lay the Estimates so early on the table. The present proceedings originated in a reform resulting from an inquiry made by the Public Moneys Committee, and when the practice was adopted it was clearly understood that the Vote on account would not preclude discussion when the remainder of the sum was asked for.

Question put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

General PEEL said, that if the Government now insisted on taking the discussion on the War Office Vote, he should move that the Chairman report Progress. Only that morning four different Reports had been put into the hands of Members; and he defied any man, however conversant with the duties of the War Office, to tell what would be the effect of those Reports upon the clerks of that Department. If there was that commotion in the War Office which the noble Marquess alleged, it was the worst policy not to allow those gentlemen to be fairly heard. He was not sure that he might not entirely agree with the proposal of the Government; but, as those gentlemen said their interests were deeply affected by the plan, he appealed to the Government to postpone the discussion of those Reports till after Easter.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*General Peel.*)

Colonel DUNNE said, that the Reports in question had only been delivered to him that morning. He had been engaged all day in a Committee; and he had had scarcely time to turn over a page.

Sir STAFFORD NORTHCOTE said, the effect of taking the Vote and the discussion that night, with insufficient information, so far from quieting the commotion in the War Office, would only increase the already prevalent feeling of discontent, besides which some other Returns bearing on the subject for which he had moved had not yet been laid on the table of the House. He, therefore, thought it would be advantageous to the public service that the Vote should be postponed.

The Marquess of HARTINGTON said, he did not think that the excitement in the War Office was in the least owing to the Report of the Committee—he believed, on the contrary, that the recommendations of the Committee were on the whole well received at the War Office. It was owing to the known fact that a discussion was about to take place in that House, and the idea which was entertained that changes might result therefrom in the position of some of the officials. As the hon. Baronet had said, such a state of things must be injurious to the public service, and therefore the sooner it was terminated the better; but as it appeared to be the general wish that the discussion should be postponed, he would yield to that wish. Perhaps, however, there would be no objection to their going on with the non-effective Votes to-night.

Motion, by leave, *withdrawn.*

(2.) Original Question again proposed,

"That a sum, not exceeding £33,200, be granted to Her Majesty, to defray the Charge of Chelsea and Kilmainham Hospitals, and the In-Pension thereof, which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."

Colonel DUNNE called attention to the necessity of making some change in the pensions and position of soldiers. Until the position of the soldier was improved, and till every man entering the army could feel assured that after a certain time, unless his conduct disentitled him, he should receive such a pension as would support his existence, any alteration in the time of service would be of no avail. In every case pensions were given in the most niggardly and unfair way. The papers were filled with cases of hardship from that cause. He held the War Office responsible for the present state of things. The warrant should be revised. The pensions were too small; 7*d.* and 6*d.* per day was too little for a man who had lost his health in the service. After serving twenty years 1*s.* a day was as little as any man should receive. The smallness and uncertainty of the pensions acted most prejudicially upon the army; and he trusted that the Government would, by an additional expenditure, which would not be large, wipe away this blot upon the administration.

Colonel NORTH felt bound to compare the pay and allowances of the Major of Chelsea Hospital with those of the two senior clerks of that establishment. He did not mean that the latter were too high. Mr. Talman, who had been nearly half a century in the important office he filled with great credit to himself, received not one farthing more than he was justly entitled to. The pay of the second clerk began at £350, and rose to £450 per annum, at an annual increase of £15. The first clerk had an unfurnished house, and received eight tons of coals, 100lb. of candles, and 15,000 cubit feet of gas. The pay of the Major of the future establishment was to be £350, including his half-pay, or his half-pay with so much salary in addition as would make up £350 a year. He might also receive a pension for wounds; £10 per annum in lieu of clothing—namely, the Windsor uniform. He was allowed unfurnished apartments, coachhouse, and stabling for three horses, twelve tons of coals, 150lb. of candles, and 25,000 cubic feet of gas. What were the military services of Sir John Wilson? He had served the country for sixty-eight years. He served as midshipman in the navy for nearly six years. He was employed on the coast of Ireland during the rebellion in 1798; in the expedition to the Helder in 1799, and Egypt in 1801, where he received a medal from the Capitan Pasha for having saved the lives of a boat's crew belonging to a Turkish man-of-war. He received three wounds while a midshipman, and the last was a severe wound on the head, which produced total deafness, in consequence of which he was invalided, and quited the navy in 1803. His health being restored he entered the army in 1804, and served in the 3rd Battalion Royals at Walcheren in 1809, where he was twice wounded during the siege of Flushing. He afterwards served in the Peninsula, and was in the battles of Busaco, the retreat to the lines of Torres Vedras, and at the actions of Pombal, Redinha, Condeixa, Casal Nova, Foz d'Arouce, and Sabugal, the blockade of Almeida, and battle of Fuentes d'Onor. In 1812 he joined the 2nd Battalion Royals in Canada, and was in the attack made on Sackett's Harbour, and Great Sodus (where he received a severe bayonet wound). He was also in the actions at Black Rock, Buffalo, and the battle of Chippewa, in which he received seven wounds, and being left on the field of battle, he fell into the hands of the enemy. During his career in the two professions he received thirteen wounds, and has two balls still lodged. The brevet rank of Major and that of lieutenant-colonel was conferred upon him for his conduct at Buffalo and Chippewa. Sir John received the war medal with two clasps for Busaco and Fuentes d'Onor. This officer, he was bound to say, in nô way complained of his allowances. He was allowed to receive the good service pension and his half-pay, besides £350 a year. He was also allowed to waive his rank in order to remain at Chelsea Hospital. But the reason why he drew particular attention to the subject was that the result of every movement of the War Office was that some reduction was made in the allowances to these old distinguished soldiers; and Sir John's allowances were to be diminished to his successor. Sir John Wilson received seventeen tons of coals; his successor was to receive only twelve. Anything more miserable than the change could hardly be conceived. Then the idea of a man of his services being allowed £10 a year in lieu of clothing! Why did they not make his salary £400 a year at once? Stabling for three horses was allowed, but no forage. The house allowed was formerly furnished, now it is unfurnished. Formerly there was a garden attached, and the house not subject to be rated; it is now rated at £175 a year. On one side of the road were the barracks occupied by the Guards; on the other side were the houses of these distinguished officers. In both cases residence was compulsory; the duties in each were analogous, and it was difficult to understand why the residences should be rated in the one case and not in the other. At Hampton Court Palace there was no doubt a beneficial occupation, and rates were properly payable; but he did not see how there could be any such beneficial occupation where officers were compelled to live in certain quarters for the performance of certain duties. It was a gross breach of faith with the officers to make them pay rates, for they entered the army on the understanding that they were to receive certain pay, allowances, and free quarters. When he had asked on previous occasions questions as to the payment of rates and taxes by officers on duty he was informed that no decision had been arrived at. After Easter he should again refer to this subject, and hoped his noble Friend would then be prepared with some satisfactory answer.

THE MARQUESS OF HARTINGTON, in reply to the hon. and gallant Member for the Queen's County (Colonel Dunne), said he had never denied that the War Office were responsible for the pension warrant; what he said was that the pensions were considered by the Chelsea Commissioners, acting under the warrant issued by the Horse Guards, and that they were granted on more liberal terms than formerly. He understood the hon. and gallant Member to say that after a twenty-one years' service a soldier might receive 6*d.* a day. But in such a case the lowest pension was from 8*d.* to 1*s.*; if the soldier was discharged at an earlier date from inability to serve, he might receive a pension of 6*d.* He did not mean to say that these were liberal terms, but the men had enlisted under these conditions; and where men had not served their full time the Chelsea Commissioners, with the concurrence of the Secretary for War, might make the temporary pension a permanent one. In many cases, moreover, a soldier who might be incapacitated for further service in the army, might not be permanently incapacitated for earning his living. As to the subject brought forward by the hon. and gallant Member for Oxfordshire (Colonel North), he was not aware that there was any intention to make a change in the pay and allowances of Sir John Wilson's successor; but the pay of all these officers must be proportionate to the duties they had to perform, and these duties were of no very onerous character. No case had been made out for raising the pay of any one of them. If any change took place in the pay of the Major, a change would be necessary in the pay of the Governor and Lieutenant Governor. The Governor received £500, the Lieutenant Governor £400, and the Major £350, and he did not think it necessary to increase the pay of these officers. As to the question of rates and taxes, that was not under the control of the War Office—it was for the consideration of the Treasury. With reference to the general question of rates, the Government had decided to allow matters to remain in the same position as they had hitherto been. Under the Ordnance regulation a great number of officers did pay rates, but they were considered to have a beneficial occupation. Those officers who reside in houses in which their duties compelled them to remain were not liable to pay rates.

Colonel NORTH said, that nothing could be more miserable than the pay of the Governor and the Lieutenant Governor. The Field Marshal received £500 a year, and another General of the army of seventy-one years' service received £400. The reason why he called attention to the pay of the Major was that the £350 a year granted to him included his half-pay. Sir John Wilson had £350 a year in addition to his half-pay, and he wanted to know if Sir John Wilson's successor, who would be sure to be an old and deserving officer, would have the same amount. It was within the last few years only that the officers had been called upon to pay rates. The navy officers did not pay rates, and the same exemption should be made in favour of the officers of the army.

The CHANCELLOR of the EXCHEQUER said, the gallant Officer seemed to think that some sacred principle was involved in this matter of rates, and that he (the Chancellor of the Exchequer) had been guilty of some disrespect to those gentlemen in saying that their case ought to be considered rather as that of civilians than as that of officers of the army. He abided by that opinion; as an establishment like that of Chelsea Hospital was not connected with any military duty. It was not a case of principle at all, but one simply of so much money. If the salaries were too small let them be re-considered.

Colonel NORTH said, that when these officers entered the army it was with the understanding that they were to have certain pay, certain allowances, and free quarters; but if they were made to pay taxes that could not be called free quarters. It was only in that day's paper that he saw eight or ten officers of Woolwich summoned for taxes and rates.

The CHANCELLOR of the EXCHEQUER declined to allow that it was a question of free quarters at all.

Question put, and *agreed to.*

(3.) £1,168,000, Out Pensioners, Chelsea Hospital, &c., *agreed to.*

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £131,000, be granted to Her Majesty, to defray the Charges of the Superannuation Allowances, &c., which will come in course of payment during the year ending on the 31st day of March 1866, inclusive."

Colonel DUNNE drew attention to the case of barrack masters. They were a class of men who entered as barrack masters late in life because they had served in other capacities, and the difficulty of providing them with any remuneration when they left the barrack department was so great that they were obliged to retain in office men utterly incompetent. The number of superannuations in the War Department was, as he saw by a paper on the table, so considerable, that they must really greatly augment this Vote, and he trusted therefore it would be postponed.

The Marquess of HARTINGTON said, he could see no possible advantage in such a postponement. The clerks in the War Department were superseded at their own request, and discussion would make no difference whatever in this Vote.

Colonel DUNNE said, he was surprised that the noble Lord had never heard of the complaints made on the subject, as the attention of every Secretary at War for the last few years had been called to them. He should move that the Chairman report Progress.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Colonel Dunne*,)—put, and *negatived.*

Original Question put, and *agreed to.*

(5.) £29,000, Non-Effective Services, Disembodied Militia, and Yeomanry Cavalry.

Colonel DUNNE hoped that care would be taken that the same allowances, at least, would be held out to officers going into the militia as were given to officers going into the Volunteers.

The Marquess of HARTINGTON said, it would be irregular to discuss the question now, but could assure the hon. and gallant Member that he was under a wrong impression as to the meaning of the circulars which had been issued on the subject.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

METROPOLITAN HOUSELESS POOR BILL—[Bill 83.]—CONSIDERATION.

Bill, as amended, *considered.*

Lord **ROBERT CECIL** said, he desired to draw the attention of the right hon. Gentleman the President of the Poor Law Board to the clause which he had moved in his (Lord Robert Cecil's) absence and in his behalf, but which he thought the right hon. Gentleman had materially altered. He did not complain of that, because the clause, as it originally stood, would not, perhaps, have been capable of practical administration. His desire was to place upon the statute book by means of that clause a declaration that the guardians of each parish were bound to admit the destitute poor for whose benefit the Act was passed, and that it should not be a matter of discretion whether they received them into the workhouse or not. If such a declaration were inserted in the Bill, then the authorities would be bound under a penalty to admit the poor man whenever he should apply; whereas, at present, public opinion was the only influence that was brought to bear for the relief of the poor in the way which legislation prescribed. He did not mean to impugn the conduct of the guardians in the London parishes as a whole—he believed that they desired to do their duty—but he feared that a good deal of cruelty was practised by the inferior officials, and that there was great suffering among the poor of the metropolis in times of severe weather or distress in consequence of the hardheartedness of those in whose hands the practical administration of the law was placed. He had been informed on good authority that more than once poor persons had been sent away from workhouses on the plea that the wards were full; and yet Returns had been made to the House of Commons from those very workhouses by which it appeared that not a single applicant had ever been rejected. He would not name the workhouses in question for this reason, that the charge depended upon the statement of poor persons, who, having left the neighbourhood, could not now be brought forward to verify it; but he had heard on authority which he could not question that those persons were trustworthy, honest men. What he desired now was to bring this failure in the operation of the law—and a very serious one it was—under the notice of the right hon. Gentleman with the view that the attention of the Board might be turned to the subject, and that hereafter, if it were possible to do so by legislation, measures might be taken to provide a remedy. At present he did not intend to move any Amendment to the clause; but he desired to obtain from the right hon. Gentleman the assurance that he would establish some practical supervision of the operation of this Act, and enforce as far as he could upon the workhouse authorities the necessity of their admitting all destitute persons who applied within the time prescribed by the Act, unless there were some good ground for their non-admission. He wished also to allude to one other point. The Return laid upon the table of the House exhibited an enormous difference in the amount of diet allowed to the paupers. In some workhouses a ridiculous amount of relief was granted; while in others the allowance was comparatively liberal. Such a state of things, however, tended to create between the different parishes a competition of parsimony; because guardians would endeavour to reduce their scale of relief to the amount afforded by their neighbours, in order to prevent an influx of paupers into their parish. In the clause of which he had originally given notice he had inserted a provision relating to this matter, but it had been struck out by the right hon. Gentleman. He hoped, therefore, that the right hon. Gentleman would, at all events, exercise the powers which he already possessed to secure a uniformity of diet.

Mr. **C. P. VILLIERS** said, he was glad that the noble Lord was satisfied with the course which he had pursued on the previous day, because, according to the noble Lord's admission, he had accepted the practicable portion of the Amendment suggested by the noble Lord, and omitted only that portion which, according to the noble Lord's own statement, it would have been impossible to carry into effect. The noble Lord said he desired to put on the statute book a declaration that the guardians were bound to relieve every destitute person who applied for relief. That duty existed now. By the state of the law at present the guardians were obliged to admit everybody seeking relief, and the Poor Law Board already had power to enforce this course upon them, as far as they had any authority at all to interfere in the proceedings of boards of guardians. The noble Lord had very fairly admitted that he had no evidence to prove that the guardians had neglected their duty in this respect, nor had any proof upon this point been adduced by any one else. That was the case with the Poor Law Board. Charges to that effect had undoubtedly been made, but no proof had, in any instance, been forthcoming. His hon. Friend the Member for the Tower Hamlets (Mr. Ayrton) had, on the previous day, mentioned a case which had come under his own notice. His hon. Friend had been told by a man who asked him for relief, that he had been to the workhouse, but had received nothing, and that the wards were full. Anxious to test the truth of the statements, his hon. Friend accompanied the man to the workhouse, and not only found that the story was untrue, but that the man himself was an arrant impostor. It was in the absence of such inquiry that letters, reflecting upon the conduct of Boards of Guardians, were written to the leading journal of the country. He believed that the guardians were desirous of providing adequate accommodation, and for this reason they desired that this Bill might be made permanent. In answer to his inquiries, he learned that the police had refused about seventeen or eighteen persons; but their reasons for so doing were, that in all the cases the applicants for relief were drunk, disorderly, riotous, or had money in their pockets. He did not, however, believe that any really destitute person had been refused; and now that the Act was made permanent, even better provision than existed hitherto would be made for the relief of paupers. He was not aware that any further improvement could be effected by this Bill.

Amendments made.

Bill to be read 3° *To-morrow.*

INDIA OFFICES (SITE AND APPROACHES) (*re-committed*) BILL.

[BILL 100.] COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Power of Secretary of State in Council to purchase Land.)

Sir GEORGE BOWYER rose to object to the system of the Chairman in calling out simply the number of the clauses, instead of following the old practice of reading the marginal notes of each clause.

Mr. VANSITTART observed, that the clause gave power to the Secretary of State for India to purchase lands with money derived from Indian revenue. He wished to know what had become of the £200,000 received from the sale of the old East India House, Haileybury and Addiscombe Colleges, and Warley? He had looked over the accounts and could not find those sums charged to the credit of the Indian Government. Probably they had been handed over to the Chancellor of the Exchequer to enable him to produce a popular Budget on the eve of a general election.

Sir CHARLES WOOD assured the hon. Member that if he would look back to past accounts he would find the sums received from the sale of the properties mentioned duly credited to the Indian Government. The object of the Bill was not to purchase a site, but to take compulsory powers with respect to the land required for the building.

Lord CLAUD HAMILTON observed, that the Secretary for India had stated on a previous occasion that nothing would be charged to the Indian revenue for the objects of this Bill.

Sir CHARLES WOOD said, the object of the Bill was to obtain possession of property in order to widen the street, and the surplus land would probably be sufficient to meet all the expense.

Lord ROBERT CECIL thought the hon. Baronet near him (Sir George Bowyer) was justified in calling attention to a departure from the old practice in Committee; inasmuch as it now appeared that when asked upon this very clause what had become of certain moneys the Secretary of State could only tell the hon. Member who put the question that if he looked through the accounts for five years he would find it all entered in them. He hoped that the old practice in Committee would be adhered to in future.

The CHANCELLOR of the EXCHEQUER said, that the term "old practice" seemed to imply an innovation on the part of the present Chairman of Ways and Means. From his own experience he could only state that he was not aware of any innovation. The practice had always been to adapt the rate of progress with the Bill to the importance of the Bill itself. He himself had introduced a Bill consolidating all the laws relating to the duties upon spirits, which contained 400 clauses, which Bill passed through Committee in five minutes. Members were supposed to have the Bill in their hands and to be able to call attention to any clause upon which they had any remark to make.

Sir GEORGE BOWYER disclaimed any intention to impute blame to the Chairman, who had only followed the practice of his predecessors; but he still maintained that the old and the proper practice was for the Chairman to read the marginal note of each clause. The Chancellor of the Exchequer said that the rate of progress of a Bill depended upon the importance of the Bill; but that was not a question that ought to be left to the discretion of any officer of the House, however high his authority might be.

Mr. VANSITTART observed, that although the Secretary of State for India told them that the clause only gave power to purchase land, yet there was a charge for the cost of such land upon the Indian revenues.

Sir CHARLES WOOD said, he did not anticipate any loss, but if there were, it would fall on the revenues of India.

Clause *agreed to.*

Remaining clauses *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

PUBLIC HOUSE CLOSING ACT (1864) AMENDMENT BILL—[Bill 22.]

SECOND READING.

Order for Second Reading read.

Mr. COX, in moving the second reading of this Bill, complained that he had been represented as desiring to re-instate the orgies of the Haymarket. No man was better pleased than himself with the result of the Public House Closing Act upon the neighbourhood in question; it had put down scenes which were a disgrace to the metropolis; still he would again assert that the measure was directed against that locality, and he was borne out in this view by the language of the Home Secretary in introducing the Bill. When that speech was made every Member understood the right hon. Gentleman to apply his observations to the Haymarket and Coventry Street. Yet, while he freely admitted that the result of the Act had been beneficial in those quarters, it had also inflicted very great detriment and injury upon many of Her Majesty's subjects. He alluded to persons who were in the habit of attending the public markets of the metropolis. One petition in favour of the present Bill was signed by 400 persons attending the Metropolitan Cattle Market. Another was signed by 895 gardeners, salesmen, and greengrocers attending Covent Garden Market. Petitions for the Bill were also signed by 691 persons attending Newgate Market, and 150 persons attending Farringdon Market. There had also been a petition signed by 1,187 persons engaged in the offices of the morning newspapers and on the printing establishments of the metropolis. They had to commence business at 7 p.m., and when they came out of their places of business between 2 and 3 o'clock a.m., they were unable to obtain any refreshment. Why should not these persons be able to take a cup of tea or coffee? A petition had been presented against the Bill, which was signed by a person who called himself the Chairman of the West London Association for Suppression of Public Immorality. He (Mr. Cox) was as anxious as the chairman who signed the petition to suppress public immorality; but the Bill before the House had nothing to do with morality at all. His Bill simply proposed to give a discretion to the Home Secretary, to the Lord Mayor of London, and the mayors of boroughs where the Act had been adopted to give licences for opening not only public-houses but also coffee houses. The Bill gave power to the local authorities, on evidence being produced of the necessity of accommodating any considerable number of people attending markets or being otherwise engaged within the prohibited hours, to grant occasional licences for the sale of refreshment. A great deal of hardship was suffered, under the present law, especially in regard to markets. For instance, all the people who were obliged to be at the Islington Cattle Market by eleven or twelve o'clock on Sunday night, arriving, perhaps, from distant parts by railway, were unable to obtain any refreshment until four o'clock in the morning. This was a great hardship, and during this inclement weather was a very serious thing. The hon. Gentleman concluded by moving the second reading, and expressing his readiness to receive any suggestions for its Amendment which might be tendered in Committee.

Colonel EDWARDS had great pleasure in seconding the Motion of the hon.

Member for Finsbury. He was, however, extremely sorry that this Bill should be brought on at this late hour (a quarter to one o'clock), because he knew that on that (the Opposition) side of the House there were many Members absent who approved of the measure, and would have wished to take part in the discussion. He wished it to be perfectly understood that, whilst advocating this Bill, he did not wish to interfere with the Public House Closing Act of last Session, which had been such a great boon to the metropolis, but simply to grant one or two licences to houses for the use of the night workers, to be placed under the control and surveillance of the local authorities, near the markets and morning newspaper offices, to relieve from a great grievance and most meritorious and important class, to whose labours during the midnight and early morning hours not only the United Kingdom, but he might add the whole civilized world, were indebted for rapid information of all occurrences in all countries, whether political or social. He alluded to the compositors who supplied the formes for the press, and they were bound to do all in their power to promote the comfort and well-being of these people. It might be urged by the Home Secretary that the leading journal had already provided for those in their employment upon their own premises, which was most commendable, but there were other proprietors, whose premises were more limited, and so circumscribed, that it was impossible to afford space for a canteen where the night workers could obtain refreshment. When at two or three o'clock in the morning they left their work, where they had been engaged in an artificially heated atmosphere, there was no place open in which they could find those refreshments which were absolutely necessary for them, and, from the arduous nature of their employment, a certain amount of stimulant was essential. Some of them, after these long hours of toil in this unwholesome air, had long distances to walk before they reached home without having any resting place. Under these circumstances he thought the Bill absolutely necessary, and the hon. Member for Finsbury was entitled to much credit for having introduced it. Although the House was small, he trusted the Bill might be allowed to be read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Cox.*)

MR. LAWSON opposed the Motion. The Bill of last Session had proved itself a most useful measure, and had effected a wonderful improvement in the appearance of the streets of London at night. The Vestry of St. Paul's, Covent Garden, had petitioned against the Bill. There were thirty-one towns under the operation of the Act, besides the metropolis, with a population of upwards of 2,500,000, and the Act worked well in all of them; and he, therefore, thought that any alteration would be imprudent. The hon. Member might have established some cases of grievance, but they were entirely local—confined to the metropolis. What *The Times* could do for its *employés* the other London journals could do for theirs. ["No, no!"] It was an insult to the proprietors and managers of those other papers to say that they could not. He admitted it was a grievance to market gardeners and others whose business required them to be out at a late hour of the night or very early hours of the morning to include the sale of ordinary refreshments with that of spirituous liquors in the prohibition under the Act of the right hon. Baronet the Secretary for the Home Department. He thought the sale of liquors not spirituous might have been permitted ["No, no!"]; but if as regarded the sale of spirits an exception was made in favour of compositors, drovers, and gardeners, the public in general would come in, and the Act of last Session would be inoperative. There was a grievance, but it was so small a one that he thought it would not be well to accede to the proposition of the hon. Member. He, therefore, moved, as an Amendment, that the Bill be read a second time that day six months.

MR. FINLAY seconded the Amendment.

Amendment proposed, to leave out the word "now" and at the end of the Question to add the words "upon this day six months."—(*Mr. Lawson.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. HENLEY said, the hon. Gentleman who had moved the rejection of the Bill ought to have been the first to second the Motion for the second reading, for the measure was a very moderate one, and, he thought, calculated to advance the peculiar views of the hon. Member. To put down the assembly of loose men and looser women in a particular quarter of the town the Bill of last Session had been passed.

The hon. Member (Mr. Lawson) would open coffee houses, and let the loose men and loose women assemble in those houses. If something were not done to relax the provisions of the Act of last year there would be a re-action. The Members of that House had their refreshment rooms open up to any hour at which the House might adjourn. In those rooms they could have their wine or beer. How, then, could they reconcile it to their consciences to refuse to allow hardworking people an opportunity of purchasing a glass of beer when, if people were working, they most required refreshment? It was all very well to say that *The Times* had established a club. People were going about endeavouring to get the humbler classes to form clubs; and if they did form clubs, how could the House prevent them from drinking in those places? There was no use in the Members of that House cocking up their noses. If the humbler classes were not permitted to have their refreshments openly, they would have them secretly, and perhaps under much more dangerous circumstances.

Sir GEORGE GREY should be sorry to sanction any measure which would materially interfere with the operation of an Act which had worked so beneficially as the one passed last year for the closing of public-houses within certain hours. He must observe that the beneficial operation of that Act had not been confined to the Haymarket. There were places in the East End also in which much disorder had prevailed, and the Act had worked well in that quarter of the metropolis as well as in the West End. The hon. Member for Carlisle (Mr. Lawson) appeared to think that refreshment houses ought not to have been included in the Bill of last year; but if the hon. Gentleman was in possession of the facts which had been laid before him in respect of many of those houses, he might, perhaps, be disposed to change his opinion. He was bound, however, to say that he had received many representations of the inconvenience felt by a portion of the community, especially persons having business in the markets of the metropolis, in consequence of the operation of the Act; and he thought those persons were entitled to have their case fairly considered. He believed that, without injuring the beneficial operation of the Act, or destroying any of the restraints imposed on disorderly houses, it might be possible to effect the object which his hon. Friend the Member for Finsbury had in view. The case of persons attending the markets was not so difficult to deal with as that of other parties from whom representations had been received, because generally there were public-houses within the precincts or in the immediate vicinity of the metropolitan markets. But with respect to public-houses scattered in other localities, it was not so easy to make a selection of public-houses without imposing an invidious duty on the police. He should have already given notice of Amendments to his hon. Friend's Bill, but he had been seeing deputations on the subject from day to day. Only that day he had received a large one from the neighbourhood of Covent Garden. Those whom the deputation represented were not anxious that the Bill should be relaxed, and asked that if a relaxation of its provisions were decided on it should be to the least extent possible. He should not oppose the second reading of his hon. Friend's Bill; but he should have certain Amendments to propose in Committee, and of these he should give an early notice.

Mr. ROEBUCK said, that the hon. Member for Finsbury did not pretend to give additional means of refreshment to particular classes, but merely allowed the authorities to extend the hour for closing refreshment houses.

Mr. AYRTON hoped the right hon. Gentleman would not give power to the police to give certain tradesmen liberty to keep open beyond the usual hours. This was a point for the consideration of the magistrates only. It was impossible to open certain houses for the accommodation of certain classes—if open to any one, they would be open to all. He thought it would be better to repeal the Bill of last Session altogether rather than to amend it in the way proposed.

Sir JOHN SHELLEY said, the local authorities of St. Paul's, Covent Garden, dreaded the public-houses in that place being opened while those in the surrounding neighbourhood were closed, as the consequence would be that all the improper characters would congregate there.

Mr. LAWSON said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Thursday* 4th May.

House adjourned at half
after One o'clock.

HOUSE OF LORDS,

Friday, April 7, 1865.

MINUTES.]—Public Bills—*Committee*—East India (Governor General's Powers, &c.) (57).

Report—East India (Governor General's Powers, &c.) (57).

Royal Assent—Consolidated Fund (£15,000,000); Perth Provisional Order Confirmation; Affirmations (Scotland); Election Petitions Act (1848) Amendment; Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation; Marine Mutiny; Mutiny; Bank of Ireland; Colonial Naval Defence; East India High Courts.

THE CURRAGH OF KILDARE.

QUESTION.

The Marquess of CLANRICARDE said, it was commonly reported in Ireland that the Department of Woods and Forests were about to transfer the whole care and management of the Curragh to the War Office, and there was a very strong feeling upon the subject, for the Irish public seemed to think that if such a transfer were made, that great plain would be greatly damaged. It was certainly announced at the time the military went there that the occupation would not be made permanent; but however that might be, it would be a very serious thing if the whole of the Curragh was handed over to the military authorities and the office of the Ranger abolished. Whether the Crown had a right to dispose of it in that way might be a legal question, but at all events there were considerable interests involved. There had been proprietary common rights in existence for a long period, and at one time as many as 30,000 sheep grazed there, though at present there were scarcely 12,000, if so many. That was no light matter to the farmers of the neighbourhood. He wished then to ask, Whether it is the intention of Her Majesty's Government to transfer by lease or otherwise, the Care and Management of the Curragh of Kildare from the office of Woods and Forests to the War Department, and to abolish the Office of Ranger of the Curragh?

Earl DE GREY and RIPON said, that the War Department occupied the Curragh only on the licence of the Woods and Forests; but as considerable difficulties had arisen from that state of things, the Woods and Forests had for some time been anxious to hand over the Curragh, on lease, to the War Office. Of course the Woods and Forests could hand over only that to which they had a legal right. With respect to the position of the Ranger, nothing would be done during the life of the present holder of the office; but upon his death, or on his ceasing to hold the office, it would become a matter of consideration with the Government what should be done. If his noble Friend or any others had any suggestions to offer they would be sure to receive every attention.

EAST INDIA (GOVERNOR GENERAL'S POWERS, &c.) BILL.—(No. 57.)

COMMITTEE.

Order of the Day for the House to be put into a Committee on the said Bill read.

Lord LYVEDEN wished to ask, Whether the noble Lord the Under Secretary of State for India could furnish the House with any information as to the actual state of our relations with Bhootan? Their Lordships would remember that the Queen's Speech at the opening of the Session contained a paragraph with reference to this subject, in which it was stated that a force had been despatched which, it was hoped, would procure reparation for the past and security for the future. But the force had done neither, for it appeared that they had turned back in consequence of a flight of arrows or some such proceeding on the part of the Natives. The whole affair was simply this:—We sent an ambassador to a savage tribe by whom he was ill-treated, as might have been expected; and the consequence was the war which was now being waged. An opinion was pretty generally entertained that the territory of Bhootan was to be annexed. We had made many annexations which had been profitable, and for those the robber's plea might be admitted; but he could conceive nothing more worthless than the annexation of Bhootan. Now there were three questions which he wished to ask in connection with this subject—namely, whether there was any intention to annex the whole of Bhootan or a part of it; if so, what number of troops had been sent for that purpose; and what provision had been made to secure the troops against the severity of the climate?

Lord DUFFERIN deprecated, on the part of Her Majesty's Government, any discussion about the war in Bhootan until their Lordships had had an opportunity of examining the papers on the subject, of which a part had been laid upon the table, and the remainder was in preparation. As their

Lordships were aware, for a long series of years the people of Bhootan had been in the habit of carrying their depredations over the frontiers of Her Majesty's dominions. Before the outbreak of the Indian mutiny the Government of India had it in contemplation to insist on some reparation; but in consequence of that event the intention of doing so was postponed. As the inhabitants of Bhootan, however, continued to carry off, not only the goods of British subjects, but also British subjects themselves in great numbers, it became obvious that some decisive measures must be taken. It was thought advisable to send an Envoy, in the first instance, for the purpose of making representations to the Government of Bhootan. That Envoy, as was well known to their Lordships, had been subjected to gross ill-treatment; but that circumstance only rendered it the more necessary that some decisive course should be followed. Accordingly, it was determined to organize a military force for this special purpose, and to despatch it into Bhootan. Bhootan consisted of a long, narrow territory, principally of a mountainous character, but it was bordered by a flat strip or riband of very fertile soil; and it was considered that by pushing our frontier a little further north—some fifteen or twenty miles—and getting possession of this strip, we should be able to put an effectual check upon the depredations of the people of Bhootan. Accordingly, four columns marched towards the hills, which they occupied without any opposition worthy of mention, and four forts were taken possession of by our troops. Three of those positions were still in our hands, and there was no doubt, from the information we had received, that they would be held with success. The fourth of these positions we had been compelled to give up, but the reason of that was the difficulty which was experienced in procuring water. There was no doubt, however, that in a short time we should be able to occupy the whole of the territory we considered necessary for our purpose. With regard to the question as to the permanent occupation of Bhootan, he could assure the noble Lord that no intention of the kind had ever for a moment been entertained by Her Majesty's Government. Any noble Lord who should read the papers would be of opinion that the course adopted by the Government of India was one which their Lordships ought to approve. The force to be sent forward would consist of a regiment and a half of European troops, two batteries of artillery, and three regiments of Native levies.

LORD LYVEDEN inquired, whether it was by the orders of Sir John Lawrence that the expedition had been undertaken?

LORD DUFFERIN said it was.

THE EARL OF ELLENBOROUGH: My Lords, when this expedition was sent forth it should have been considered that the country which it was about to enter was exceedingly unhealthy, and every possible precaution should have been taken to secure the health of the troops. I think the time at which it must have moved was unfortunate. It could not have moved before the 25th of March, when the season required that troops should go into cantonments. My Lords, I confess I have read the accounts of this expedition with very great alarm—an alarm proceeding not only from the apparent want of discretion in the arrangements made for the purpose of carrying on the campaign, but also from the evident weakness and incapacity of the new regiments formed and officered as they now are for the conduct of the operations. The same error was committed last year that was committed the year before. A force was sent into an enemy's country without any reserve being at hand to support it in the event of disaster. A force of 5,000 men was sent against the enemy at the end of 1863. They advanced three miles into the enemy's country; but they had not been there twenty-four hours before they sent for 5,000 more to protect their communications; and these 5,000 could not arrive until after the lapse of six weeks. That is not the way in which we can carry on war with the chance of success. The same want of foresight occurred in the present instance. Three or four weeks elapsed before the European and Native troops ordered up as re-inforcements could move. That is not the way in which we can carry on war with advantage. The noble Lord says it was not quite so bad as that, and that they were obliged to retreat for want of water. But did any man ever hear of such an occurrence as was stated to have happened in this instance? It is incredible. I do not understand how any man who ever wore a red coat could carry on a war without making due provision for supplying his men with water. It was impossible that these troops, without water, should hold their position against an enemy. I tell your Lordships that at a very early period you will be compelled to give your most earnest consideration to the whole question of the expediency of maintaining that new organization of the Indian army which was established four or five years ago. It is the first time since the introduction of standing armies that an attempt has been made to maintain an army without regimental organization. These regiments are officered from time to time by gentlemen from the Staff. I have looked through the list of officers of one of those regiments — the 43rd. I find that the commanding officer has been for a long time at the head of that regiment. In its former condition it might be considered rather as a body of police than as a regiment, and I regret extremely that there has been given to it the name of one of the noblest regiments of the Indian army. They are nothing but a parcel of police. Looking at the list of the other officers, I find it most unsatisfactory. One of the officers who joined in November went into the field with the troops in December. Others joined only at the beginning of the year. It is impossible to expect discipline and efficiency in the field if you send new officers to join a regiment just as it is going into the presence of the enemy. You cannot do that safely with your own European troops; how then can it be done with Native troops, who look to European officers to take them into action? I trust that no long time will elapse before the attention of your Lordships will be called to this subject. It is one that has occupied my mind seriously for a very considerable period. There are no means of filling up the ranks of that Staff—none whatever —when the old officers of the East India Company's army are gone. The Queen's army does not offer recruits to that service. You are within a few years of having no officers whatever to command the Native troops of India. It is absolutely impossible to carry on the present organization, and it is time for the Government, without regarding the discredit of so doing, seriously to consider, if not the expediency of going back to what was, at all events to make a material alteration in what is, and to establish a real regimental organization of the Indian army.

House in Committee.

Bill *reported,* without Amendment.

PRIVATE BILLS.

STANDING ORDER No. 191.

DISPLACEMENT OF LONDON POOR.

THE LORD CHANCELLOR said, he had been requested by his noble Friend the Earl of Shaftesbury, who was unavoidably absent, to submit to your Lordships the Motion of which the noble Earl had given notice for the Amendment of Standing Order No. 191. The Amendment of his noble Friend had for its object to impose upon railway and other companies the obligation of submitting their Bills with a very accurate statement of the number of houses which the Bill proposed to take, and which were inhabited by the labouring classes; the number of persons who would be driven from their houses; and whether any provision was made in the Bill for affording those persons the accommodation of other dwellings. The matter was brought before their Lordships a few evenings ago, and it was then allowed to stand over in order that certain difficulties which were suggested should be duly considered. He had endeavoured to insert words, with the approval of the noble Earl, which would, he thought, meet the difficulty. He proposed to make it requisite to include in the Returns, not only the number of tenants in the houses, but of those also who lodged therein, and who might only be temporary residents. He proposed, therefore, to strike out the words "inhabited by the labouring classes," and insert the words "occupied either altogether or partially as tenants or lodgers by persons belonging to the labouring classes." That would insure the Return of the actual dwellers of the houses in whatever capacity, and whether they resided as tenants or lodgers.

THE EARL OF DERBY said, he understood that the noble Earl (the Earl of Shaftesbury) had proposed to go further than obtaining a mere Return; he wished that the occupants of these houses should have notice of the intention to take the houses. He required that all the persons proposed to be displaced, whether tenants or lodgers, should have notice served upon them separately and individually before they were displaced. At present it was only necessary that notice should be served on the actual tenant.

THE LORD CHANCELLOR said, it was found that there would be a difficulty about personal notice upon each occupier—it would often be found impossible. The latter part of the amended Standing Order of his noble Friend contained a stringent provision requiring that the companies should, by notices placed in public view, upon or within a reasonable distance of the houses proposed to be taken, make known their intention of taking them; and that they should not actually take them until they had obtained a certificate of a justice that this provision of the Standing Order had been satisfactorily complied with.

THE EARL OF **ELLENBOROUGH** suggested that the words requiring personal notice to heads of families should be omitted from the Standing Order, and that the notice by placards, handbills, or other public notice should be alone insisted on.

LORD **REDESDALE** said, that when the subject was under the consideration of the House a few days ago, he had suggested that, after the words "fifteen houses" in the proposed Order, the words "in any parish or place" should be inserted. He was now, however, of opinion that it would be better to substitute for those words the words "in any city, town, or place." By that means a fuller Return might be secured, while there would be no objection to the increase of the number of houses with respect to which the Return was to be made from fifteen to twenty.

LORD **STANLEY** OF **ALDERLEY** thought the words "in any city, town, or place" somewhat too vague. He suggested the substitution of the word "parish" for "place," and the expediency of fixing the number of houses named in the Order at thirty.

LORD **CHELMSFORD** also objected to the word "place" as being indefinite, observing that, in a case which had been tried under the Gaming Act a short time ago, the foot of a tree in Hyde Park where certain persons had assembled for the purposes of betting had been held to be a "place."

THE BISHOP OF **LONDON** said, he was anxious, on the part of the clergy, to express the great interest which they felt in the question under discussion, and their desire that the conditions of the proposed Order should be made as stringent as possible. The devastation occasioned by the public improvements undertaken in the metropolis was more extensive than their Lordships were probably aware. He was informed by a clergyman that in one parish in the City of London, in which one-third of the houses had been swept away, there was still no perceptible diminution in the number of the poor inhabiting the parish; while in another parish, in which the proportion of houses destroyed was even greater, the rates continued to be as high as before—thus showing that the number of poor who inhabited the remaining houses was as large as ever. How that state of things came to pass it was difficult to say with any degree of accuracy; but, speaking on behalf of the clergy, he was extremely desirous that the subject should not be allowed to rest even at the point to which their Lordships were now bringing it, inasmuch as they were convinced that if the humbler classes were, by overcrowding their dwellings, reduced to that condition which had been so graphically described by the noble Earl who brought the question forward on a former evening, any efforts to provide for their spiritual wants or their education must be altogether unavailing. It seemed very difficult to find a remedy for the case. Much good, it had been said, could not be expected to be done by improved lodging-houses; although much, it was true, had been done by private individuals in the way of improving the dwellings of the poor, yet when all that had been effected in that direction at a great sacrifice was compared with the misery which was to be contended with, it would be at once seen that no adequate remedy had as yet been provided. In the immediate neighbourhood of their Lordships' House a wealthy merchant, greatly to his honour, had spent a large sum of money in the erection of model lodging-houses capable of accommodating some 800 persons; but then the number of poor removed at one stroke, owing to a slight improvement which took place after those houses were erected, was double that which he found himself able to accommodate. In another part of London a lady well known for her benevolence in carrying out works of that description had expended a large amount in improving the dwellings of the poor; yet those dwellings bore no proportion to the number of poor who were removed. Among the Returns which had been placed in his hands was one stating that the corporation of the City of London had taken up the subject, and had erected certain houses for the poor. Their example, he trusted, would be followed by other corporations. There were other bodies which had large funds that might be made available for the purpose. For example, the vestries of parishes in the City of London were, in some cases, so rich that they literally did not know what to do with their money; and as that money had been placed at their disposal for the benefit of the poor they could not better expend the money than in erecting such model lodging-houses as those to which he had alluded. He desired to say another word on the subject. It was not only the spiritual interests of the poor of the metropolis for which the clergy were anxious; they were also alive to the necessity of taking care that considerations of health should not be neglected—especially at a moment when, if what was stated in the public journals were true, a mysterious disease which had passed from village to village had inflicted itself on a great capital, its ravages being aggravated, it would seem, by the circumstance that 40,000 had been added to the population, and a large number of houses therefore overcrowded. It was surely most desirable that before such a scourge visited this country—if, unfortunately, it should visit us—we should not have a vast army of poor displaced from their habitations and compelled to overcrowd the wretched abodes to which they were driven for shelter.

THE LORD CHANCELLOR said, that in the absence of the noble Earl on whose behalf he had risen to move the present Order, he could not agree to the proposal for increasing the number of houses mentioned beyond fifteen. He had no objection, however, to the insertion of the words, "in any city, town, or parish," which would, he thought, render the returns to be made more definite. He was also prepared to assent to the suggestion that the words "either by personal notice to heads of families inhabiting the same at the time of giving such notice" should be struck out, and that the words should be retained rendering it obligatory on Companies to give notice by placards and handbills publicly exhibited in the vicinity of the houses about to be pulled down, with the further provision having reference to the certificate of a magistrate being necessary to show that the Order had been complied with.

Motion *agreed to:* Standing Order No. 191 amended as follows:—

"That in the Case of any Bill for making any Work, for the construction of which compulsory Power is sought to take in any City, Town, or Parish Fifteen Houses or more occupied either wholly or partially as Tenants or Lodgers by Persons belonging to the Labouring Classes, the Promoters be required to deposit in the Office of the Clerk of the Parliaments on or before the 31st Day of December a Statement of the Number, Description, and Situation of the said Houses, the Number (so far as they can be ascertained) of Persons to be displaced, and whether any and what Provision is made in the Bill for remedying the Inconvenience likely to arise from such Displacement, and that such Statement be referred to the Committee on the Bill, and that the said Committee do inquire into and report thereon; and that in every such Bill a Clause be inserted to enact that the Company shall, not less than Eight Weeks before taking any such Houses, make known their Intention to take the same by Placards, Handbills, or other general Notice placed in public View upon or within a reasonable Distance from such Houses, and that the Company shall not take any such Houses until they have obtained the Certificate of a Justice that it has been proved to his Satisfaction that the Company have made known their Intention to take the same in manner required by this Provision."

THE REVISED CODE.
EXAMINATION OF CHILDREN.
OBSERVATIONS.

THE EARL OF HARROWBY said, he desired to draw the attention of the noble Earl the Lord President to a recent Order of the Education Committee by which children under six years of age were required to attend their respective schools on the day of inspection in order to entitle themselves to claim a portion of the public grant. He had on a previous occasion deemed it to be his duty to state his opinion as to the impolicy and harshness of that Order, according as it was brought into operation in summer or in winter, and his noble Friend the President of the Council had informed him that instructions had been issued with the view of meeting certain cases. Now he thought it was extremely desirable that a public statement should be made by his noble Friend as to the precise course which the Government were about to pursue in the matter, in order that all persons might know how things really stood. This was retrospective action on the part of the Privy Council, and he hoped that his noble Friend's sense of justice would prevent his supporting such an act of injustice. No notice whatever was given to the schools that the Inspector would require the attendance of these young scholars; and therefore he should like to know what were the exact instructions under which the Inspectors were now acting.

EARL GRANVILLE was understood to say that the rules now acted upon had substantially been in force ever since the Revised Code came into operation. It was necessary that these children should be present in order that the Inspector might ascertain what was the general system of the school.

THE EARL OF HARROWBY observed, that for that purpose it was not necessary that all the children should be present.

EARL GRANVILLE said, that if the presence of all the children was not required, picked examples might be presented to the Inspector, so as to deceive him as to the real condition of the school.

LORD REDESDALE thought that to require "extraordinary circumstances" to be given for the absence of such young children was a little too stringent. He would suggest that the report of the Inspector should be of "the circumstances" instead of "the extraordinary circumstances" which might have prevented the attendance of the children. Snow upon the ground might be a good reason why these young children should not go to school; but in winter time that could hardly be considered an "extraordinary" circumstance.

EARL GRANVILLE said, that if a wet day was to be a sufficient excuse for the non-attendance of children they would hardly ever go to school.

THE EARL OF HARROWBY said, that at all events the allowance to the schools for last year ought not without notice to have been made to depend upon the attendance of these young children.

LORD REDESDALE thought it was unreasonable to require children of a tender age to attend school in case of bad weather, and thus to compel them to sit all day in wet clothes. He approved on the whole what the Government had done up to the present time with regard to the educational question; but he trusted they would in future exercise generosity towards these little children.

THE EPIDEMIC AT ST. PETERSBURG.

QUESTION.

THE BISHOP OF OXFORD: My Lords, before the House rises for the recess, I should wish to ask the noble Earl the Lord President, Whether he can give the House any further information than it already possesses on the subject of the epidemic at St. Petersburg mentioned by my right rev. Brother (the Bishop of London)? The noble Earl has no doubt noticed in one of the leading papers of to-day a telegram from St. Petersburg purporting to give details of the symptoms of that epidemic which tend to identify it with the disease commonly known as the plague. As Parliament is about to rise for the recess, and as the northern ports will shortly be open, no doubt great anxiety will arise with regard to this epidemic, which would be considerably allayed by an intimation from the noble Earl that Her Majesty's Government are quite alive to the importance of the subject, and are instituting inquiries into the extent and nature of the disease.

EARL GRANVILLE: My Lords, it is quite true that a telegram has been received to-day from Berlin which gives a worse account of the epidemic than we had previously received from St. Petersburg. A medical officer of great experience has been sent to St. Petersburg, and another gentleman of equal professional attainments has since been sent to the valley of the Vistula to ascertain the real character of the disease. I am not aware that we can take any further steps in the matter.

House adjourned at a quarter past Six o'clock, to Thursday, the 27th Instant, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, April 7, 1865.

MINUTES.]—NEW WRITS ISSUED—For Rochdale *v.* Richard Cobden, esquire, *deceased;* Wingtown District of Burghs *v.* Sir William Dunbar, baronet, Commissioner for Auditing the Public Accounts; Clackmannan and Kinross Shires *v.* William Patrick Adam, esquire, Commissioner of the Treasury.

SELECT COMMITTEE — Masters and Servants *appointed.*

SUPPLY—*considered in Committee*—NAVY ESTIMATES.

Resolutions [April 6.] *reported.*

PUBLIC BILLS—*Ordered*—Waterworks*; Local Government Supplemental (No. 2)*; Police Superannuation*; Land Drainage Supplemental*; Lancaster Court of Chancery*; Oxford University (Vinerian Foundation)*.

First Reading—Lancaster Court of Chancery* [106]; Oxford University (Vinerian Foundation)* [107]; Local Government Supplemental (No. 2) [108]; Police Superannuation* [109]; Land Drainage Supplemental* [110].

Second Reading—General Post Office (Additional Site)* [94].

Committee — Land Debentures (Ireland) (*re-comm.*)* [80].

Report—Land Debentures (Ireland) (*re-comm.*)* [80].

Considered as amended—India Office (Site and Approaches)* [100].

Third Reading—Pilotage Order Confirmation* [131], and *passed;* Public Offices (Site and Approaches)* [99], and *passed.*

METROPOLIS SEWAGE AND ESSEX RECLAMATION BILL—(*by Order*).

CONSIDERATION.

As amended, *considered.*

Motion made, and Question proposed, "That the Bill be read the third time."—(*Sir William Russell.*)

Mr. AYRTON said, that he felt it his duty to bring under the consideration of the House some circumstances relating to the Bill. It having been thought desirable to appropriate the sewage of the metropolis for agricultural purposes and for reclaiming some portions of the seacoast, the Metropolitan Board of Works advertised in 1860 for any scheme by which the sewage might be disposed of in such ways for the benefit of the ratepayers. The various projects were ultimately reduced to two—one by Mr. Ellis, and the other by Messrs. Hope and Napier. The terms of the advertisement published by the Metropolitan Board for tenders notified to every one that the projects were to be carried on at the sole risk of the projectors, and the ratepayers generally were satisfied that the matter should be proceeded with on that footing. After some delay and consideration the Metropolitan Board of Works determined to avail themselves of the project of Messrs. Hope and Napier, which seemed to combine in itself the elements of other projects, and applied to the House for a Bill to carry it into effect. There was a great deal of agitation in the metropolis on the subject of the concession, and to pacify the inhabitants he had moved that the Bill be referred, not to an ordinary private Committee, but to one of a more public character, which should, in the interest of the ratepayers, ascertain what was the best scheme for the utilization of the sewage of the metropolis. When that Committee met he found, to his utter astonishment, that instead of the terms of the advertisement being carried out, an agreement had been entered into between Messrs. Hope and Napier and the Metropolitan Board three days before the second reading of the Bill, which agreement was of a most extraordinary character, for its effect was to give to the Secretary of State, in the event of the failure of the projectors of the scheme, the power of compelling by his mere fiat the ratepapers to pay every shilling of the expense. This agreement was to take effect only if it received the sanction of Parliament, and in this way the Metropolitan Board of Works threw the whole responsibility on Parliament. Again, there was a clause in the Bill which was perfectly illusory, for, though it allowed the Board of Works to look at the accounts in connection with this project, it did not permit them to look at the vouchers. This was a matter also requiring attention. The contractors applied to the Committee to extend the time for the completion of the works, and they were allowed by the Committee the enormous period of ten years. He consequently proposed a Resolution to the Committee, declaring that the Committee were bound in the interest of the public to watch over the transaction; but that Amendment having been rejected, it became necessary for the House to deal with the question. The Committee also declined to give the ratepayers the power of examining the accounts of the company. What course ought they to take? He was not anxious to defeat this Bill. On the contrary, he thought that the Bill might be carried on with great advantage to the ratepayers, provided that they were not made to bear all the loss, and that they saw they were honestly treated by those who were projecting this Bill. He was anxious that the House should understand that this was no ordinary application to Parliament. It struck him as being one of the most unusual that could possibly be imagined. This was not an application to Parliament by a responsible body, who undertook to carry out these works. When a Railway Bill was being promoted, there was a subscription and a deposit which was to be impounded and forfeited if the works were not carried out. But this was a Bill promoted by certain gentlemen who especially declared that they were not acting under any deed or agreement of partnership, and that no capital had yet been created; and it was upon such grounds that they asked that House to give them power to take all this land by compulsion, and to hold this power for ten years. But that was not all. The promoters had actually put in the Bill clauses by which they were to be enabled to raise £2,000, to be increased to £3,000 if necessary, and sell the Act of Parliament as soon as it was granted for whatever sum they could obtain. He thought that when the House was dealing with people who came to them upon such a footing, without being a company, without capital, and who boldly asked to be allowed to sell the Act of Parliament, it was its bounden duty to see that the

Act of Parliament was one which was consistent with good faith towards the ratepayers of the metropolis, and that all the risk and failure should not fall upon them in case the promoters were unable to carry their project into effect. He had deemed it his duty, under these circumstances, having moved for the Committee on behalf of the ratepayers, to call the attention of the House to the failure that had taken place in the performance of the duties of the Committee, and to ask the House to defer the further consideration of this Bill until after Easter, in order that the promoters might be able to take into consideration the propriety of bringing up clauses to protect the ratepayers, on the one hand from being liable for the loss in case of failure, and on the other to give the ratepayers power to look into the accounts and dealings of this company with a view of satisfying themselves that all these transactions were fair and aboveboard. He moved that the further consideration of the Bill be deferred until after Easter.

Amendment proposed,

To leave out from the words "That the" to the end of the Question, in order to add the words "further Consideration of the Bill be postponed till this day three weeks,"—(*Mr. Ayrton,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. KNIGHT said, that having sat on the Committee he wished to say that they had looked on the work as one of public and national utility. The promoters undertook to get rid of the sewage of the north of London beyond Barking Creek without the probability of its returning. Its success or failure as an agricultural operation was a secondary point with them, although they had every reason to believe that it would succeed in that respect extremely well. The only opposition was brought forward by a Mr. Ellis; and his opposition greatly confirmed the probability of success from the proposed mode of using the sewage. Messrs. Hope and Napier's plan combined all the benefits offered by Mr. Ellis, together with a great outlet for the sewage into the sea where it would be quite clear of the Thames. As to no capital being subscribed for the scheme, the House should recollect that very many railway Bills were passed without there being any *bonâ fide* subscription, except that some engineer put his name down for a large sum. He trusted that the House would not allow the Bill to be put aside.

Mr. HEADLAM said, that as he was Chairman of the Select Committee to which this Bill was referred, he would state to the House as clearly as he could what took place. In the first place, his hon. and learned Friend the Member for the Tower Hamlets had imported into this discussion a great deal of matter of which he (Mr. Headlam) did not think that that House could take cognizance. The hon. Gentleman had stated certain circumstances against the promoters of the Bill—namely, that they were not a company, and that they had made no deposit. Now, although the City of London opposed this Bill before the Committee, no objection on that ground was taken by them against it, and the Committee had every reason to suppose that this company was constituted in the regular form, that everything requested by the House in the nature of deposit had been performed, and certainly nothing took place before the Committee to lead them to suppose that any irregularity of that description had taken place. His hon. Friend supported the Bill, and he (Mr. Headlam) fully expected that he would have given them every assistance afterwards in passing it. He voted with the Committee on the preamble of the Bill, and he also voted with them, and they carried unanimously the Report which spoke in the most favourable terms of the plan now submitted to the House. When that particular Article, No. 15, came before the Committee no objection whatever was taken to it, nor was the attention of the Committee particularly directed to it, and it was only after the Committee had passed the agreement that his hon. Friend for the first time brought up the two clauses which were upon the paper, and which the Committee by a majority of five to two rejected, and, as he (Mr. Headlam) thought, rightly rejected. He now understood the object of his hon. Friend to be to get those two clauses which the Committee rejected inserted in the Bill. The first clause related to an auditor to be appointed by the Metropolitan Board of Works with extraordinary powers, the practical effect of which would have been that although that Board declined the responsibility of having a director, they would have had an auditor who might have objected to almost anything done by that company. He (Mr.

Headlam) voted against that clause, as he considered it would be an improper clause to insert in the Bill. He considered that the Metropolitan Board of Works were the guardians of the ratepayers, and that they need not go beyond them in considering the ratepayers' interests. He also objected to the other clause—that relating to an absolute forfeiture—as being too strong and arbitrary, and he consequently voted against it. He was perfectly willing to admit that Article 15 as it now stood was also objectionable, and ought to be altered. It left a power in the hands of the Secretary of State which it would be inconvenient for him to exercise. With this exception he did not think any alteration ought to be made in the Bill, and he should certainly object to the insertion of the clauses of the hon. Member for the Tower Hamlets.

Mr. HENLEY said, the statement of the right hon. Gentleman seemed to confirm the necessity for postponing this Bill till after Easter, because from that it seemed there was a section in the agreement—Article 15—which was really objectionable and ought to be altered. In the meantime parties might lay their heads together and put the contract into an unobjectionable shape. He believed the general feeling was in favour of the Bill; but the House had to deal with a very grave question which the right hon. Gentleman had not touched. He said the Metropolitan Board of Works, who represented the ratepayers of the metropolis, were parties to the bargain, and the promoters of the Bill were the other parties; but the right hon. Gentleman did not tell them whether it was within the competence of the Metropolitan Board of Works, under the Acts of 1855 and 1858, to enter into speculative works, intrusted in the first instance to somebody else, to fertilize some barren waste bordering on the German Ocean; and if they had not strictly that power the ratepayers of the metropolis might be called upon by the arbitrary fiat of the Secretary of State to recoup to these speculators no less a sum than perhaps £3,000,000. How was that to be raised? It seemed to him that the Board of Works had no power to enter into these speculations, and bind the ratepayers to recoup the money, and the right hon. Gentleman the Chairman of the Committee had not ventured to say whether it was strictly within their power or not. Then it should be remembered that the *Gazette* notice was as vague as possible. No one could have dreamed that under such a notice it was possible that the Metropolitan Board of Works were going to take on themselves this liability. The agreement itself had not been deposited; it was signed some time in February, and made its appearance only a few days ago. He gave no opinion as to whether the Bill should go on or not; but he hoped the hon. Gentleman who had charge of it would consent to what he considered the reasonable proposal made by the hon. and learned Member for the Tower Hamlets, in order that all parties interested might know what was coming on them; and the House would no doubt do what was right when the Bill next came up for consideration.

Sir GEORGE GREY said, that he had stated to the promoters of the Bill the objections he entertained to this article of the agreement. The Bill provided that certain main culverts should be executed by the concessionaires within four years, and if they were not completed within that time the deposit of £25,000 to the Board of Works should be forfeited. It was quite possible the non-completion of the main culverts within the time specified might be accidental, without any fault of the concessionaires; but Article 15 provided that the Secretary of State should in such case certify whether the concessionaires should forfeit all their rights and privileges. That was a power which the Secretary of State would find it extremely difficult to exercise. But the Article went on to provide, if the Secretary of State determined that no forfeiture should take place, well and good; but in case of forfeiture, then he was to prescribe the terms, and those terms were to be final and binding. He thought the power to determine whether forfeiture should take place ought not to be intrusted to one Member of the Government, still less should the power of fixing the terms. Some other provision should be substituted for the 15th Article, probably some mode of arbitration; and as there was no opposition to the scheme itself he hoped the hon. and gallant Gentleman (Sir William Russell) who had charge of the Bill would agree to its postponement till the 25th of April, by which time the parties might come to some satisfactory settlement as to Article 15.

Mr. HARVEY LEWIS said, he thought it was the desire of the House that the Motion for the second reading should not be pressed. The Metropolitan Board of

Works took no responsibility in connection with this Bill. They said the works must be risked without any cost to the Board. They repudiated all responsibility in connection with the scheme, which would probably involve the ratepayers in an expenditure of two or three millions. The postponement was very desirable, as it would not affect the rights of the concessionaires or the public.

COLONEL WILSON PATTEN said, he supported the Amendment. The 15th clause was entirely inconsistent with the principle recognized by the House in all private Bills affecting the property of the ratepayers. They should have a chance of being heard on the matter.

SIR WILLIAM RUSSELL said, after the expressions of opinion by the right hon. Gentlemen the Secretary of State (Sir George Grey) and the Member for Oxfordshire (Mr. Henley), and of the hon. and gallant Gentleman (Colonel Wilson Patten), he would agree to postpone the Bill till after Easter, giving due notice of the clause he intended to propose.

MR. BRADY said, that as a Member of the Committee, he wished to state that the concession to Messrs. Napier and Hope was kept a secret from the Committee until after three days' examination of the members of the Board, though they had been repeatedly pressed to produce it. He was glad the postponement had been agreed to, otherwise he should have divided the House.

Amendment, and Motion, by leave *withdrawn.*

Further Consideration of the Bill *deferred* till *Tuesday* 25th April.

BRISTOL AND NORTH SOMERSET RAILWAY (SOUTHERN EXTENSION) BILL.

(*by Order*).—SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gore Langton.*)

MR. GREAVES said, the Bill had already received its death-blow elsewhere. He moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Greaves.*)

MR. GORE LANGTON said, as his name was on this Bill, he had thought it right to move the second reading, but he had had no communication with the promoters, and therefore as the Bill was opposed he should not put the House to the trouble of a division.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.* Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

TITLES TO LAND (IRELAND).

QUESTION.

MR. MONSELL said, he rose to ask the Secretary of State for the Home Department, When the Bill for recording Titles to Land in Ireland will be introduced?

SIR GEORGE GREY said, in reply, that the Bill for the Registration of Titles in Ireland had been laid on the table of the House of Lords on the previous evening by the Lord Chancellor.

PIRACY IN CHINA.—QUESTION.

COLONEL SYKES said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether Mr. Consul Swinhoe has made a Report that the British Merchant Steamer *Elphin*, while loading sugar at Takao, was hired by the Local Mandarin to go out of port and attack junks said to be piratical on the agreement that captured junks should belong to the captain of the *Elphin* and crew; that the steamer went out and attacked a junk pointed out, which did not made any resistance; nevertheless she was fired into and one of the crew killed, and the remainder of the crew, twenty-one in number, taken prisoners and lodged in the Hong of Messrs. Lesler and Co., and the junk carried into Takao; that Mr. Consul Swinhoe tried the Captain, a Prussian subject, and condemned him to a penalty of 600 dollars, afterwards reduced to 400 as sufficient penalty for the murder; and, in case Consul Swinhoe's Report has not been received, whether it will be sent for, and whether the Hong Kong Ordinance, No. 1, of January 1855, which prohibits British Subjects from giving military aid to the Chinese Government and the Rebels, will or will not be enforced, and Commanders of British Merchant Vessels, or other offenders, be suitably punished for shedding blood for profit?

MR. LAYARD said, in reply, that no notice upon the subject mentioned by his hon. and gallant Friend had been received at the Foreign Office, nor did he think it necessary to send to Consul Swinhoe for a Report. It was that gentleman's duty to report only upon matters requiring special attention. No doubt if this subject had demanded any unusual notice it would have been duly reported upon. With regard to the latter part of the question of his hon. and gallant Friend, he could add nothing to what had already been stated on two occasions by the hon. and learned Attorney General. The law would, of course, be enforced if proper evidence were adduced and proper proceedings laid before the Consular Courts in China.

SALMON FISHERY ACTS.—QUESTION.

Mr. KNIGHT said, he would beg to ask the Secretary of State for the Home Department, When Her Majesty's Government intend to introduce the Bill for the Amendment of the Salmon Fishery Acts?

Mr. T. G. BARING said, that the Bill had been deferred until the Reports of the Inspectors of the Fisheries had been presented to the House. Those Reports had been printed and would at once be put into circulation, and the Bill would be introduced immediately after Easter.

THE EPIDEMIC IN RUSSIA.

QUESTION.

Mr. ONSLOW said, he would beg to ask Her Majesty's Government, Whether they have considered the propriety of placing vessels from the Baltic in quarantine, with a view to prevent the introduction of a contagious fever said to be raging in those parts?

Sir GEORGE GREY: Sir, Her Majesty's Government have received no information upon this subject in addition to what was laid upon the table of the House yesterday. That information is not such as to induce us to think of establishing a quarantine at present.

METROPOLIS—PARK LANE.

QUESTION.

Mr. SCULLY said, he rose to ask the First Commissioner of Works, Has his attention been called to the Report of the Referees on the Piccadilly and Park Lane New Road Bill, and has he given a "distinct intimation" that a portion of the Crown Land, valued at £6,577, will be given up to the Metropolitan Board of Works without any payment?

Mr. COWPER said, in reply, that no obstacle had been thrown in the way of the scheme of the Metropolitan Board of Works on the part of the Crown as regarded the rights of the Crown in the Park. It was true that the Metropolitan Board of Works had, from motives of economy, preferred the inferior plan of prolonging the narrow street to the better plan of widening Park Lane, and thus providing for the use of the public a broad and spacious thoroughfare. Yet he thought the Board deserved all credit for having recognized the responsibility that rested on them of doing something to remove the extraordinary inconvenience of the present state of Park Lane. It was, therefore, intimated to the Metropolitan Board of Works, that if they succeeded in passing this Bill through both Houses of Parliament, they would receive the consent of the Crown to their making a road through Hamilton Gardens, which is a portion of the Park. If the hon. Member had read the Report of the Referees he would have seen that the legal estate in land had not been given to the Board but was retained in the Crown.

IRELAND—THE FENIAN BROTHERHOOD.

QUESTION.

Mr. WHITESIDE said, in rising to ask the Question of which he had given notice, he would previously read a passage which occurred in the letter of *The Times*' correspondent on the previous day—

> "So recently as the 14th of March, 1863, fifteen years after the ignominious collapse of Mr. Smith O'Brien's rebellion in the widow's cabbage-garden, it was stated in the official address of the Fenians 'that the Fenian Brotherhood was instituted some years previously as a secret society; that it had ceased to be secret; that its object was the invasion of Ireland by an armed force of at least 100,000 men; and that the Brotherhood had the secret countenance among others of W. H. Seward, the Secretary of State.' On the 6th of March, 1864, a report of the meeting of the Executive Committee of the Fenians at Chicago appeared in the *Sunday Mercury*, which circulates largely among the Irish in this city, which stated that 'the Committee had received letters of encouragement from hundreds of prominent men in the country, including the Postmaster General, Mr. Montgomery Blair, Secretary Seward, Governor Yates (of Illinois), Mr. Speaker Colfax (of the House of Representatives), Colonel Mulligan, and hundreds of officers in the army and navy of the United States.' On the 26th of December last a great meeting of the Fenians was held at Chicago, at which it was resolved, *nem. con.*, 'that it was the duty of the American Government to declare immediate war against England,' and pledging the Chicago Circle of the Brotherhood

to raise immediately 5,000 men, upon the sole condition of being ordered forward at the earliest possible moment and by the shortest route to meet the common enemy of Ireland and America."

He would, therefore, ask the Under Secretary of State for Foreign Affairs, Whether the Foreign Office has received despatches or any information relative to statements lately published in this country to the effect that encouragement has been given by eminent political individuals in the United States to a confederacy of Fenians, designed to attack Canada, to invade Ireland, and to make war, when required, upon England?

Mr. LAYARD said, in reply, that the attention of Her Majesty's Government had been called to meetings lately held by the Fenians in the United States, but there were only two facts mentioned which required official notice on the part of Her Majesty's Government. One was that a certain Colonel J. H. Gleason had obtained leave of absence from the Army of the Potomac for the purpose of attending a meeting; and the other was that the Attorney General of Louisiana was also present upon the same occasion. Mr. Seward's answer was that leave of absence had been granted to Colonel Gleason, though certainly not for the specific purpose of attending the meeting referred to. That officer simply obtained the leave of absence to which he was entitled. Mr. Seward further stated that the Attorney General of Louisiana was not responsible for his acts to the Government of the United States, but only to the particular State of which he was Attorney General.

THE INDIAN BUDGET.—QUESTION.

Mr. HENRY SEYMOUR said, he would beg to ask the Secretary of State for India, Whether he has received any information to the effect that an Export Duty had been placed upon Jute, Coffee, and various other articles in India, and that the Income Tax had been continued in that country?

Sir CHARLES WOOD: Sir, one of the inconveniences attending the use of the telegraph is the imperfect information it oftentimes affords us. I must, therefore, say that I am not at all certain of the answer which I have to give to the question of the hon. Gentleman. It is true that I have received a telegram, but I do not know from whom it has come.

Mr. HENRY SEYMOUR said, he wished to explain. The statement to which he referred had not reached England by telegraph, but had appeared in the letter of *The Times'* correspondent.

Sir CHARLES WOOD: It is perfectly impossible that any information can have reached England by letter from Calcutta giving an account of what was said or done on the 31st of March last, at which date the financial arrangements for the year had been determined upon. Whatever may have appeared in the newspapers or elsewhere, must, therefore, have been sent by telegraph. I received a telegram on the 3rd of April, stating that the income tax had not been renewed, but that export duties had been placed upon certain articles of produce in India. I can hardly doubt the correctness of the telegram, but it is so totally opposed to everything I had reason to expect, that I scarcely know whether to believe it or not.

Sir JAMES ELPHINSTONE said, he wished to know, whether the principles upon which taxation proceeds in India are supposed to be in harmony with the principles of taxation in this country, and whether the Government in India is empowered to act independently of any principles laid down in this country?

Sir CHARLES WOOD: I think that is, with all deference to the hon. and gallant Gentleman, not a question which I ought to answer.

THE DEFENCES OF CANADA.

QUESTION.

Lord ELCHO said, that as there was reason to believe that a deputation was coming from Canada in order to consult Her Majesty's Government as to the defences of that country, he wished to ask the Secretary of State for the Colonies, Whether Parliament will be consulted before any engagement is made by Her Majesty's Government tending to pledge the Imperial credit for the execution of those defences, and before any engagement is entered into by the Imperial Government for the defence of Canada on land, lake, or river, beyond that already notified to Parliament — namely, an expenditure of £300,000 for the fortifications and armament of Quebec?

Mr. CARDWELL: Sir, the sum of £300,000, to which the noble Lord has referred, is made up of two sums — £200,000 for the defence of Quebec, and £100,000 for the armament of Quebec and Montreal. When we communicated to the Government of Canada our intention of including in the Estimates a Vote for improving the defences of Quebec, we expressed our trust that we might rely with confidence on their constructing the works necessary for the defence of Montreal, and we expressed our readiness to furnish the armament both for Montreal and Quebec. With respect to the Question of my noble Friend, I received the day before yesterday an official Minute of the Executive Council of Canada appointing four of their number—

> "To proceed to England to confer with Her Majesty's Government (among other things) upon the arrangements necessary for the defence of Canada in the event of war arising with the United States, and the extent to which the same should be shared between Great Britain and Canada."

In the conference to be held between Her Hajesty's Government and these gentlemen it will not be in the power—and if it were in the power it would not be the wish—of Her Majesty's Government to bind Parliament without the full knowledge and consent of Parliament. We shall not exceed the province which belongs to the duty and responsibility of the executive Government, and when the conference shall have arrived at a result it will be my duty—and I shall have much pleasure in discharging it — to take the earliest opportunity of making that result known to Parliament.

THE WAR IN NEW ZEALAND.

QUESTION.

Mr. WESTERN said, he would beg to ask the Secretary of State for the Colonies, Whether any intelligence has been received of a renewed outbreak of hostilities in New Zealand?

Mr. CARDWELL: Sir, the following telegram has been received by the War Department, and has been communicated to the Colonial Department:—

> "Hostilities commenced in the Whangaura district on the 24th of January. Lieutenant General Cameron advanced with a force of 800 men towards the Whaitolara River. On the same day a skirmish took place with the rebels in posting a picket at Nukumtrar, near which village the troops had encamped. On the 25th the rebels attacked the camp in force, and were repulsed with a loss of seventy killed; number of their wounded unknown. Our loss in the two days was Lieutenant Johnson, 40th Regiment, Deputy Assistant Adjutant General, mortally wounded (since dead); Lieutenant Wilson, 50th Regiment, severely, and Ensign Grant, 50th Regiment, dangerously wounded; fifteen men killed, and thirty wounded. On the 5th of February we crossed the river and encamped on the left bank."

COURT OF CHANCERY (IRELAND) BILL

QUESTION.

Mr. VANCE said, he wished to ask, Whether Mr. Attorney General will consent to postpone the Committee on the Court of Chancery (Ireland) Bill, which is fixed for May 11, as that day would be very inconvenient to Irish Members. The Dublin Exhibition was to be opened by the Prince of Wales on May 9, and therefore it would be very convenient to postpone the Bill until the following Monday.

The ATTORNEY GENERAL said, that he should be willing to accede to the hon. Gentleman's suggestion if it should be consistent with the progress of public business, but he would undertake not to proceed with the particular clauses to which the hon. Gentleman wished to call attention.

ADJOURNMENT OF THE HOUSE.

Viscount PALMERSTON moved that this House at its rising adjourn till Monday the 24th of April.

EXEMPTION FROM POSTHORSE DUTY.

QUESTION.

Mr. CAVE said, he wished to put a Question upon a subject of considerable interest to Volunteer Artillery Corps. Under the 26 & 27 *Vict.* c. 65, s. 42, persons lending horses gratuitously for the service of the Militia, Yeomanry, or Volunteers are excused from payment of the Assessed Taxes upon such Horses, but persons licensed to let horses under the 16 & 17 *Vict.* (the Post Horse Act) are allowed no exemption in case they lent their horses gratuitously. As the animals which such persons could lend would be better adapted for drawing guns than the carriage or riding horses of private individuals, it was for the advantage of the Volunteer service that persons licensed under the Post Horse Act should be encouraged to lend their horses. He would submit that it would be easy to grant a proportionate reduction of the Post Horse duty to those persons who lent their horses. The question he should ask was, Whether the exemption from the Assessed Tax granted to persons gratuitously furnishing horses during six days within the year for the Volunteer Service, under the 26 & 27 *Vict.* c. 65,

s. 42, might not be extended to those persons who pay duty on licences to let horses for hire under the 16 & 17 *Vict.* c. 88 (the Post Horse Act)?

Mr. PEEL said, in reply, that persons licensed to let horses for hire did not pay Assessed Taxes upon their horses as well, and it would not be reasonable to exempt them from the payment of the Post Horse Duty, which was much heavier than the Assessed Tax, because they lent their horses gratuitously for six days. The Question of granting any abatement from the amount of the license duty proportionate to what was allowed in the case of persons liable to the Assessed Tax was a very fair Question to be considered.

THE POSTMASTER GENERAL.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the First Lord of the Treasury, Whether, were it not for exceptional legislation in each particular case, the greater part of the offices held by Members of Her Majesty's Government would not come under the category of "new offices or places of profit under the Crown," which, according to the provisions of the 6 *Anne*, c. 7, disqualify the holder from sitting in the House of Commons; and, whether it be desirable or consistent with the principles of modern Constitutional Government that one particular office, and that having a seat in the Cabinet, should be allowed to remain under a rule which has been abrogated by special legislation in the case of every other important office of the Government? The Act of Anne was passed soon after the Union, when the House was apprehensive of being overwhelmed with a flood of Scottish placemen; but circumstances were now altered, and the House was extremely anxious now-a-days that persons representing important departments should have a seat there. What he would like to hear from the noble Viscount was the constitutional point of view by which the Government justified the anomaly of retaining the exclusion from the House of Commons of one only of the officers of Her Majesty's Government—namely, the Postmaster General.

Viscount PALMERSTON: If I understand the hon. Gentleman's Question rightly, he wishes to know whether it is the intention of the Government to propose to this House a Bill to enable the Postmaster General to sit as a Member of the House of Commons. In reply, I have to say that we do not see that there is any sufficient necessity for such a Bill, and therefore it is not our intention to introduce it.

Motion *agreed to.*

House at its rising to adjourn till *Monday*, the 24th April.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

RAILWAY SYSTEM (IRELAND).

MOTION FOR AN ADDRESS.

Mr. MONSELL rose to move—

> "That an humble Address be presented to Her Majesty, praying that the Commissioners appointed to inquire into the railway system of the United Kingdom may be instructed to direct their inquiries, in the first instance, to the Irish railway system, with a view of ascertaining, with as little delay as possible, such facts as may enable this House to determine whether the provisions of the second clause of the general Railway Act of 1844 should be applied to such Irish railways as are subject to its provisions."

He thought the subject one of very great importance, and trusted the House would give it the most serious consideration. A Commission had been appointed to inquire into the railway system of the United Kingdom, he asked that the Irish railway system should be considered by itself and without delay. The definite object of his proposition was to bring into play the provisions of the Act of 1844, which gave power to the Government, with the sanction of Parliament, to purchase the railways whose Acts were passed after 1843. He was aware that the case of Ireland had been frequently brought before Parliament in the present Session, but he was convinced that the House would look with an indulgent eye on any proposal which could be clearly shown to be for the benefit of that country; and it was his belief that this question was one of that character. First, did his proposition in any way interfere with the self-reliance of the people of Ireland; and secondly, was it a measure which would confer benefit on one class in Ireland, or would it benefit the whole people? His proposition, instead of interfering with the self-reliance of the Irish people, would extend and develop it, and, unlike any other measure which could be submitted to the House, would benefit all classes in Ireland, and, like a fertilizing flood, penetrate into every nook and cranny of the land. The reduction of the price for the transit of passengers and goods would benefit every class and every individual. In order to justify his Motion, he was bound to prove that there were certain special circumstances appertaining to Ireland, which demanded the separate consideration of the Irish railway system; and that the benefits which would result from his proposition would be felt by the whole people. With regard to the first point, it was, unfortunately, not necessary to say many words. Whatever the cause, there existed vast resources in Ireland undeveloped, and consequent misery among a large portion of the population. It must be obvious to every one that though the strong shoulders of Great Britain might support the incubus, high fares on railways, which constituted the only means of transit for a large proportion of the population and merchandize, crushed the industry and prevented the development of the resources of a country like Ireland. Another reason existed for regarding Ireland as an exceptional case in respect to this matter. In the year preceding 1839 there were various public meetings in Dublin, attended by the most eminent men of all parties in the country, and they urged the adoption of a system of railways for Ireland analogous to the system which generally prevailed on the continent. Among others a meeting was held in Dublin, when a resolution was passed, declaring—

> "That railways in the hands of individuals or chartered companies, however valuable and important might be the facilities they gave, were necessarily monopolies, and as such were irreconcilable with the public interests; while, if such establishments were the property of the State, they could be altered and dealt with at any time, without injury to any party."

A measure in accordance with their views was submitted to that House by Lord Morpeth, then Chief Secretary for Ireland. The Duke of Leinster, Lord Kingston, and many other great Irish proprietors engaged that if this measure passed they would give the land for railways that passed through their properties for nothing. The year 1839 was one of great party contests, and anything proposed by one party met with no favourable reception from their political opponents. The consequence was that Lord Morpeth's measure fell through, the English system was introduced into Ireland. A circumstance which distinguished the Irish from the English and Scotch system, was the smallness of the amount of capital invested in the railways of the first country. The Chancellor of the Exchequer was not one to "rest and be thankful," but even he might feel appalled at the idea of undertaking to touch the English and Scotch railways, with their £300,000,000 or £400,000,000 of capital, but in Ireland the value of the railways — according to Mr. Dargan— was less than £20,000,000. Their capital was £22,500,000. The original shares amounted to a little more than £13,000,000, and bonds and preferential shares to a little more than £9,000,000. The gross receipts for 1863 amounted to £1,518,000, against £30,000,000 in England and Scotland, and the working expenses were £750,000. The gross receipts from all the Irish railways last week were £26,800, whereas the receipts of the London and North Western Company alone for the same week were £101,000; those of the Great Western Company were £63,000; those of the North Eastern Company were £56,000; those of the Midland Company were £44,000; and those of the Lancashire and Yorkshire Company were £36,000. Therefore it must be obvious to the House that the comparative smallness of the Irish railway question gave the House a practical control over it, which they could hardly expect to exercise over the English and Scotch railways. What were the complaints made against the Irish system. The charges made for passengers on the Irish railways were as high, and the charges for goods in many cases were considerably higher, than the corresponding charges in England. Heavy goods, for instance, cost more from Dublin to the Limerick junction, a distance of about 100 miles, than from London to Manchester, a distance of 187 miles; and yet the railway fares in England were the highest in the world. Notwithstanding the poverty of Ireland, the Irish railway directors seemed to be enamoured of the English system of very high fares. He was not making an attack on the directors of the Irish railways. A railway director was a person to whom a certain number of shareholders intrusted their capital in order that he might make the most money for them he could with it; and if by carrying thirty passengers he conceived that he could make more profit than by carrying 200 passengers, he was bound to carry the thirty in preference to the 200. But it was singular that the Irish railway directors should take such a different view of the effect of high prices from that acted on by all other persons who made money in Ireland. Let them look, for instance, at the monster shops. Did they sell enormously-expensive articles, such as diamonds or rubies? Not at all. They sold a large number of ordinary articles at a low price, turning their capital over frequently, and thus earning a large aggregate profit. Then there was the great unendowed Church in Ireland. What great sums were spent upon churches, convents, and schools — sums so great that he was afraid almost that he should startle some hon. Gentlemen if he were to mention their amount. Were those sums made up of the hundreds or thousands subscribed by a few rich individuals? Not at all. They were raised from the pennies, the sixpences, and the shillings of the great body of the people. Was it not wonderful, that, with these examples before their eyes, Irish railway directors should still persevere in the system of high charges? No doubt by lowering rates they might lower their dividends for a short time—but for a very short time only? The extent of the infatuation under which they laboured in that respect was illustrated by a story which he heard only the other day. Lord Clancarty, being anxious to establish on the Midland Great Western Railway a system of low fares between, he believed, Athlone and Galway, went to the directors and offered to guarantee them against any loss they might suffer; but the directors refused the proposal, and said they would continue to pursue the course which had reduced their shares to a considerable discount in the market. He would mention another evil of the present system. A small amount of railway capital in Ireland was divided among a great many companies. Between Belfast and Dublin there were 113 miles of railway divided among three distinct companies, with three separate sets of directors, three separate sets of officials, and three separate sets of proprietors; and all these different bodies in their dealings with one another were actuated by that amount of charity which generally distinguished railway boards in their dealings with one another. That state of things operated most injuriously on the various interests of the country. For example, in the neighbourhood of Limerick there were large mines affording an opportunity for the development of a considerable mineral traffic. A railway company was asked simply to put a station in a convenient place for that traffic; but they absolutely refused to do so, in the fear that another company might share the profits, leaving the minerals to be transported at a rate so high as to put a practical estoppel on the development of the resources of the district. Again, the cheap and expeditious conveyance of cattle was a matter of paramount importance, especially to the South of Ireland; but the exorbitant charges of the railway companies precluded the graziers from using that mode of transport. He had received many letters from different parts of Ireland, all testifying to that effect. A gentleman of great intelligence, Mr. Cooper, writing from the South of Ireland, stated that Kerry sent annually thousands of cattle by road that would never walk a mile if the railway rates were sufficiently low. In Meath and Carlow, and every other county, the same sort of exclusion was practised. The graziers either walked their cattle or sent them by canal. The same observation applied to flour and corn — no pound of corn or flour ever passed by railway to the great flour mills at Croom in the county of Limerick. He might give another illustration of the present system of railway management. In order to facilitate the traffic between Limerick and Dublin Parliament passed the Bird Hill and Roscrea line, but not a single passenger went on that line from Limerick to Dublin, and this all because a few miles of the line belonged to a company with which the Great Southern and Western did not agree. Thus the intentions of the Legislature had been completely frustrated. Now, it was not quite fair to talk about self-reliance when the people were deprived of the simple and cheap means of carrying their cattle to market. This was by no means carrying out the principle of free trade. These small monopolizing companies had all the vices of despots; they apparently did all they could to thwart the development of the traffic; and how anybody could say that they must be maintained for the sake of free trade he could not understand. If the cost of transit could be abolished surely that would promote free trade. If the products of different hemispheres and zones could be brought together without cost of transit that would be the very realization of the idea of free trade; and so also in a proportionate degree would any measure that tended to reduce the expense of conveying cattle and other produce to market. If the railway charges in Ireland were brought down to the Belgian scale, or to something less than one-half of their present amount, the effect upon the trade and prosperity of the country would be like the touch of a magician's wand. If a farmer sending his cattle to market was enabled to do for 10*s.* what now he could not do under 30*s.* what an advantage that would be to the Irish producer! Then take the case of manufactures. One of the difficulties in the way of establishing manufactures in Ireland was the price of coal; and if they could reduce the price of coal and the cost of carriage of it to the same rate as it was in Belgium or Westphalia, they would do more to develop manufactures in Ireland than they could do by any other single step they could take. The Irish system of railways was capricious in regard to the cost of carrying coal. The cost to Bray was 1½*d.* a ton, to Wicklow somewhat less, to Athy 1*d.*, while to Maynooth it was no less than 2*d.* What crime the Duke of Leinster, or the inhabitants, or the College of Maynooth had committed to subject them to this high impost he did not know. One of the German railway companies which had reduced the rates to one half-penny per mile per ton had raised its dividend from 7 to 12½ per cent. The bondholders and preference shareholders in Ireland had about 5 per cent on £10,000,000. If the Government took up the railways in that country they could get the money at 3 or 3¼ per cent; and in that way alone a saving of about £150,000 a year would be effected. Mr. Dargan stated his opinion that if the railways were placed under a central management a saving in the working expenses might be effected of £200,000 a year; and, at all events, there could be no doubt that it would produce a considerable saving—Establishment charges now amounted to 49 per cent. Mr. Dargan further stated that a reduction of rates would not be attended with loss as the traffic would be increased. These statements Mr. Dargan was prepared to substantiate before a Committee. He should now show the House from an experiment tried on a small railway—the Foynes line—what effect an increase of charges had upon the traffic of a railway. In 1862 the Foynes Company raised their rates from 3*s.* 10*d.* to 4*s.*, from 2*s.* 9*d.* to 3*s.*, and from 1*s.* 8*d.* to 2*s.* for the 1st, 2nd, and 3rd class respectively. In the year ending in 1862, before the increase took place, the total number of passengers was 87,256; in 1863, after the change took place, it was 71,383; and in 1864 it fell to 63,046. Let them observe the effect of this very small increase of fares. The experiment had also been tried in Great Britain. Mr. Galt, who had written a very able book on railways, stated that at the time of the Manchester Exhibition, when the London and North Western and the Great Northern Companies were competing, first-class passengers were carried to Manchester and back for 7*s.* 6*d.*, and second-class for 5*s.*; the whole expense of the train was 50 guineas, while its receipts were £174. The contest lasted with great benefit to the public all the summer, and the dividends only fell ½ per cent. The contest between the South Eastern and the Great Western Railways to Reading lasted about a year and a half. While it continued passengers were carried a distance of 67 miles at 3*s.* first-class and 2*s.* second, ten times as much being charged in proportion of other parts over the lines, yet where the fares were lowest there was an average profit of 250 per cent upon the cost of running every train. When the Edinburgh and Glasgow and Caledonian lines quarrelled they carried passengers between Edinburgh and Glasgow, a distance of 46 miles, for 1*s.* 9*d.*, and 6*d.*, and the Caledonian line only suffered a loss of ½ per cent dividend by the reduction, which was equal to one-eighth of the ordinary charge, though there was a division of traffic at the same time that the reduction was in operation. He asked that the experiment which had been made in Belgium and Germany should be tried in Ireland. In 1838 the population of Brussels, Malines, and Antwerp was 232,960, the population of Liverpool, Manchester, and Warrington was 523,000. The number of passengers between Liverpool and Manchester before the railway opened was 164,250 per annum; the number that went by railway in 1836, at 6*s.* and 4*s.* fares, was 523,000, being an increase of 218 per cent. The number of passengers yearly, before the opening of the railway between Brussels and Antwerp, the fares of the Belgian diligences being about one-half those of the English coaches, was 80,000. The number of railway passengers between those two towns, excluding those who stopped at Malines, was 781,250, showing an increase of 876 per cent, the railway fares being 2*s.* 6*d.* and 1*s.* Here was a comparison between Belgium and the busiest part of the United Kingdom. It might be said that in Belgium there was a population of 420 to the square mile, while in Ireland it was only 185 to the square mile; and therefore that the analogy of Belgium did not apply to Ireland; but he would take a country—Prussia—in which it was still lower, namely, 156 to the square mile, and he would take a railway which ran through agricultural districts, in which the wages of the people were not very different in amount from those which were paid in Ireland. In that country the whole of the people availed themselves of the railways—even the poor market women carried their fruit by railway. It might be said that Irish railways were made at a greater cost than foreign railways, although obviously the original cost of the railway did not touch the questions they were considering, but that was not so. The railway from Cologne to Minden, which with its branches was about 330 miles long, cost £28,000 per mile. The Belgian railways cost from £18,000 to £19,000 per mile, and the Irish railways £13,000 per mile. On the Cologne Railway the charge by the first-class, which was used by Princes and Englishmen only, was 1½*d.* per mile. The charge by the second-class — used by those who in this country would use the first-class—by the Cologne line was 1*d.* per mile, and by the third-class, answering to our second, the charge was only three farthings per mile. Our lowest class was 1*d.* per mile, whereas the fourth-class fare on the German line was only three-eighths of a penny per mile. That railway in 1858 paid 7 per cent. There was then a considerable reduction in the charge for the transport of goods, and the result had been a dividend of 12¼ per cent. It might be argued that this increase of traffic arose in a great degree from coal, and that the Westphalian railways abutted on a coal field, while there was but little coal in Ireland; but it should be remembered that, practically, the Irish railways abutted on the English coal fields, and that just as Westphalian coal at low transit prices flowed into the agricultural districts of Prussia and Holland, English coal would certainly be sent in immense quantities into Ireland, where turf was now scarce, and was certainly in most places dearer to burn than coal would be with low railway rates. In Belgium last year a reduction was made in the parcel traffic, which was so very successful that a Bill was before the Legislature for reducing the rates still lower; and what was the financial result? The Belgian shareholder was making 5½ per cent. So successful had these low fares been that in 1884 the shareholders would be paid off, and the lines in the hands of the Government, who might use the railways as they thought fit, and who would be able to run trains at the cost price of travelling. Why should we not imitate such an example? It might be asked what system he would adopt in lieu of the present. He thought it a great misfortune that the recommendations of the Commissioners, Sir John Burgoyne, Sir R. Griffith, and Mr. Drummond, had not been acted upon with reference to the railways. But the evil had been done. The railway system had been productive of less benefit than was expected to Ireland, and it was placed in the hands of conflicting companies, whose Boards agreed in an enthusiastic devotion to high rates, and he saw no way out of the difficulty but in the purchase of the railways by the Government. What they ought to do was to introduce a measure giving the Government the railways for a period of, say, five or seven years, which would enable them to put the whole system on a proper basis. They might then divide the whole country as France was divided into certain zones north, south, east, and west—and let the railways out to companies on condition that low rates and fares were introduced and maintained. By that means they would get rid of the difficulty. Government management for a short period was not likely to work badly; for in a matter of this kind they would take good care to select the best men to administer the system. Such a change would confer enormous benefit on Ireland. The first result would be to effect a reduction in railway fares to one-half or one-third of their present amount, which would be equivalent to a remission of taxation of somewhere about £1,000,000 a year. But that would by no means measure the benefit to the country from the increased development of its resources which would necessarily follow from its being brought into close contact with the markets of England. What but nearness to, or distance from, the best markets made the difference there was between the West and East of Ireland. Even in the first year he did not think the public Treasury would lose anything considerable, not more, probably, than from £200,000 to £300,000 a year. But the benefit to the country would be immense. If it was put to him whether he would prefer the abolition of the income tax or the measure proposed, he would without hesitation say, give Ireland this cheap mode of transit by railways. He thought he had shown that the case of Ireland was quite distinct from that of England and Scotland, and ought to be considered by itself. He believed if they adopted his proposition they would confer the greatest possible benefit on every class and every portion of the country. He now left the question in the hands of the House. He looked with great anxiety to the result of the debate, and he hoped the Chancellor of the Exchequer would be able to agree to his proposition. He was quite indifferent as to the means—the end he desired was low fares and more centralized management. The whole of the people of Ireland were in favour of the proposal, and no greater benefit could be conferred by the House upon Ireland than the granting of this Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that the Commissioners appointed to inquire into the Railway System of the United Kingdom may be instructed to direct their inquiries, in the first instance, to the Irish Railway System, with a view of ascertaining, with as little delay as possible, such facts as may enable this House to determine whether the provisions of the second clause of the General Railway Act of 1844, should be applied to such Irish Railways as are subject to its provisions,"—(*Mr. Monsell,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. WHITESIDE said, in seconding the Motion, that he thought the House was indebted to the right hon. Gentleman for the great pains he had bestowed on this subject. He had discharged a paramount duty to his country in bringing it forward. The size of the question naturally attracted their attention, and it more particularly deserved the notice of the House because it was not calculated to encourage any delusive expectations. He agreed that if it should appear on a full and careful inquiry that it could be carried out it would confer on Ireland very great advantages. We had arrived at a crisis in the history of railway legislation. The reason for the passing of the wise and statesmanlike Act of 1844 was, he understood, given in the words of the Committee who reported previous to the passing of the Bill. That Committee said it was material to observe that in this country what was called the "high fare system" ordinarily prevailed, and that the average charge for railway communication—which fell principally on trade and commerce—was very much higher than in other countries where railways had been established. That there was no early prospect of a general reduction of the charge under the present system of independent companies; and if the experiment of reducing the charge were tried, the results, it was believed, would not be very unfavourable upon immediate returns. The words of the Act which was passed subsequent to the Report of this Committee were very important, as they preserved to the House the power of considering what course it would be politic to adopt after an experience of twenty years of the system of railway management. It would be improper to ask the House to apply any other principle to the consideration of the railway system in Ireland than that asserted in a very wise section of the Act of 1844. Upon the grounds, then, of general and national policy would it be wise to exercise the power retained by the Government? It was said that a railway was as necessary to our existence as the air we breathed. It was ridiculous to speak of a railway as we would of any other road or highway. He thought we had suffered a great misfortune by Parliament having neglected the recommendations of a Commission in 1837 which was appointed to investigate and report upon a plan upon which the Irish railways should be conducted. A useful Bill was afterwards moved by Lord George Bentinck, but not being supported by the Irish Members was lost. The Report stated that it was the favourite opinion of many that undertakings of this description (railways) were best left to the free and unfettered exercise of private enterprize, and that the less the State interfered either in making exactions before begun or in controlling their subsequent management the better. They (the Commissioners) were duly sensible of the great advantages to be obtained by allowing full scope to the capital and enterprize of individuals associated for such important purposes, but they apprehended that the difference between railways and any other description of public works had been overlooked, and the peculiar privileges which had been granted to them—privileges which should be exercised only under authority, effective superintendence, and control. It was important to observe the distinction. It was a very different thing asking the Government to take upon itself the management of the railways, and calling upon it to exercise a wise and politic control. The possession of a railway and the management of it as a trading company were very different to exercising that control which was intended by the Act of 1844. The two things were quite distinct. The exercise of that control would not lay the Government open to an imputation of unwise intermeddling with trading companies that could be otherwise made. The body of gentlemen to which he had referred said that—

> "So great were the powers, so vast the capabilities of a railroad, that it must, wherever established, at once supersede the conveyances by common road; and, consequently, while the railway facilitated traffic, it destroyed other modes of conveyance."

Towards the close of the Report the monopoly which railway companies obtained was referred to, while they were subjected to little or no external regulation or control. A most extensive monopoly had been established that could keep the intercourse of the country entirely at its command. The rate of speed, the hours for running, the number of journeys in the day, and the charge were all at the discretion of the railway companies, and whatever extravagant expenditure might be incurred in the construction or management of the lines it all fell upon the public. The Report then proceeded to say that it might have been well if we had looked at what had been done in other countries—in France, Belgium, and other places—before committing ourselves to the present system. In England alone were the main lines of intercourse committed to the management of individuals almost unconditionally and without control. This had arisen from the suddenness with which the railway system was pressed upon this country. What, then, was asked by the present Motion? A Railway Commission, composed of eminent and competent persons, had been issued by the Government. It would be unwise to ask for a different body, and the only thing sought by the right hon. Gentleman who had brought this present Motion forward was that, the Irish railway question having reference only to a comparatively small extent of country, and requiring immediate and speedy relief, the Commissioners should take that first into their consideration. Although the book to which the right hon. Gentleman (Mr. Monsell) had referred was written by an Irishman, there was only one observation in the volume having reference to Ireland. It was a remarkable book, and most interesting. In truth, railways had almost a poetical interest, only sometimes one was obliged to say that they were not quite agreeable under the present system. He could confirm the experience of others, that directors had a very artful and ingenious and crafty mode of raising the fares whenever they could conveniently do so, and that, too, with a regularity and punctuality which deserved the description given by Mr. Galt, who stated that wherever there was a conflict between the interests of the public and the advantage of the directors, the directors always decided against the public and in favour of themselves. The one reference to Ireland in Mr. Galt's book was to the effect that the railway directors in Ireland entertained very favourably the scheme of the purchase of the railways by Government. That Ireland was in every respect more adapted for the railway system being under the control of Government than England, as there the people did not view the interference of Government with mercantile affairs with the same distrust as was felt in this country; and while in one country it might be desirable to confine the experiment to low fares and Government supervision of a few lines, in the other it might be extended with the consent of all classes, from the Giant's Causeway to Cape Clear, and from Connemara to the Hill of Howth. Therefore in no country was it more desirable to have the experiment tried than in Ireland. He (Mr. Whiteside) agreed with the writer, because the people of Ireland had suffered much inconvenience from the multiplication of companies there. *Herapath's Railway Journal*, while it appeared to be unfavourable to the scheme of the Government purchasing the railways in this country, was not opposed to it for Ireland, because it was a poor country and the purchase of the railways, followed by a very low fare, would be a sort of fillip which might contribute to the welfare of the country and raise the value of the land. There were a great many small railway companies in Ireland. In the north there were no less than six, and the Belfast people were so exceedingly skilful that they carried their lines no further than they felt certain they would be remunerative, leaving it to wilder speculators to accommodate the districts behind. If therefore they wished to travel from Londonderry to the Northwest lines they had two or three companies always to deal with. The system would have been much worse had it not been for his noble Friend Lord Erne, who had invested large sums in different railways, and took an interest in the management of them. The universal opinion in Ireland was against the existence of these numerous companies, and it was amazing that men who outwardly looked reasonable, and talked and acted on other subjects like other people, should undertake to prove that in the short line of country between Dublin and Belfast it was useful to have three companies with three sets of directors and officials. Most people thought this an intolerable nuisance; and Mr. Dargan was of opinion that by a uniform management a saving of £200,000 a year might be effected. If that were so, and if it were true that the credit of the Government would make a difference of 1½ per cent to these lines, a great benefit would accrue, and it would be possible to operate at once with the consent of all parties. In the West of Ireland the management of the Western Railway was much complained of. The utmost amount of inconvenience which could be afforded to the public had been afforded by the directors, and the result was that the dividend of the unhappy shareholders was reduced to 2 per cent. The shareholders would be very glad to get rid of the directors, who, on their part, he supposed, would be willing to transfer their functions to those who could exercise them with greater advantage to the country. As to the Munster Railway, he wished to say nothing in its favour, and nothing particular against it, further than that he believed that a wise man would strike out four-fifths of these companies, and have a concentrated management, which would lead to the economical results referred to by Mr. Dargan. If the Great Western in England had amalgamated twenty-five companies, what difficulty would there be in extending the principle of amalgamation in Ireland? There was not a single interest which would not be benefited by such a change. For instance, at present within limited distances a railway was never used in Ireland for the transport of cattle. There must be a reason for this, and he believed it to be the absurd arrangements made by the company in respect of cattle transport. The results of this question might be summed up in a few words, which he believed to be irrefragable. While he admitted that the state of Ireland peculiarly required this measure, he thought that inquiry—which was all they asked for at present—should be conducted on general principles. The highways of the country were almost as necessary as the air; in old times he was thought a hero who made a road which would last for ever, and the making of these iron roads never ought to be monopolized by companies free from Government control. At the outset the present system was regarded as an experimental one; the Government of the day wisely reserved to themselves the right, at the expiration of twenty years, of revising the experimental system; and the terms of purchase stated in the Act were distinct, and ought to be satisfactory to those who had anything to sell. Of course it would be necessary to look narrowly to see that no job was perpetrated; but he believed that we should never have a reduction of fares commensurate with the wants of the country until some such step was taken. Moderate fares were the most remunerative; but if railway directors thought they could get as much money by carrying a few passengers at a high price as they could get by carrying a great many at a low price, they would relieve themselves from the inconvenience of carrying a great number. He could not see how this grievance was to be redressed, except by the control of the State. In Mr. Galt's book it was shown that in a case where the fares were reduced by 70 per cent it only made a difference of 1 per cent in the dividend. It was open to the State to make another set of railways at one third the cost of the present lines, and their competition would destroy all the existing lines; but that would be a very unjust and unwarrantable thing, and therefore nothing remained but some such course as the Act of 1844 had pointed out. His right hon. Friend had not mentioned the analogy of the penny postage; and, though the same results might not follow the adoption of cheap fares, we might fairly borrow a principle from a great experiment that had been successfully tried. It was not his place to point out the *modus operandi,* or how this great and useful project was to be worked out; this might be better done by the Chancellor of the Exchequer. But he would say a word to hon. Gentlemen on the other side who had the other night supported the Motion for inquiry of a similar kind to that now sought in regard to property in Ireland. Instead of searching about for trivial causes to explain the condition of the south and west of Ireland, why not admit at once what was perfectly plain—that before the adoption of free trade Ireland enjoyed a monopoly, was benefited by that monopoly, and that change of policy had led to the results now witnessed? This was indisputably true, and he did not mention it for any unworthy purpose. Adam Smith himself admitted that sometimes where laws which theoretically appeared unsound had been allowed to exist for a long period of time, and great interests had grown up in consequence, a sudden change would lead to results more lamentable than the evils which would follow from the maintenance of those laws. At present there was a vast trade in the import into Ireland of the daily bread of the people; that was something to be remembered. Free trade legislation might be proved to be a great and signal benefit to the Empire; but if the consequences of that legislation had led to distress in certain parts of Ireland, the Legislature should try to confer some proportionate advantage upon the country where this could be done without violating the rules of political economy or perpetrating any gross job. His belief was, that that was the desire of the House. At the same time, he did not wish it to be supposed that the condition of the whole country had been accurately described by hon. Gentlemen who had addressed the House on a former occasion. Last autumn he had seen a good deal of the country. Beginning at Fermanagh, he had gone to Derry, stretched round the coast to Belfast, passed to Armagh, Neath, Carlow, Wexford, and other places, and according to his observation there was a conspicuous improvement in many parts of the country. As the right hon. Gentleman (Sir Robert Peel) had said, there had also been very great improvements in Dublin—the approaching Exhibition was a proof of this. And if, in the districts which had suffered most from free trade, a plain, practical benefit like that now proposed were conferred upon all classes, it would be received in Ireland as a proof of the beneficent spirit which animated this House, and would make the Irish people sensible—and the debates of this Session showed that they ought to be sensible—of the pains and anxiety with which the House listened to every proposal calculated to be of the smallest practical service to that country.

Mr. SCULLY said, that he took great interest in this question, so much so that he had some time since solicited an interview with the right hon. Gentleman the Chancellor of the Exchequer upon the subject. The question could not, either directly or indirectly, be regarded as involving any party considerations, and he should be, therefore, very much surprised if any hon. Member representing an Irish constituency opposed the Motion. It would be for the right hon. Gentleman the Chancellor of the Exchequer to consider whether the question was one which should be immediately dealt with, or whether, as usual, it should be postponed for some future treatment. The Commissioners certainly ought, in his opinion, to direct their attention first of all to Ireland, because, though that country would, no doubt, receive immediate benefit, England also would derive permanent advantage from such a course. The experiment might first be tried in Ireland, and if successful might be extended to England; while in case of failure, on the other hand, the latter country would be able to avoid adopting any course which had been found unsatisfactory. In the Commission which had been appointed the Irish element appeared to have been lost sight of, in fact the noble Lord at the head of the Government usually excluded Irishmen from the Cabinet and from Commissions. Out of fourteen Commissioners there were seven English and one Scotch Members, but not one hon. Gentleman who represented a constituency in Ireland. The only Irishman on the Commission was the Earl of Donoughmore. He quite believed that the proposed reduction of railway fares would be of greater advantage to Ireland than even the abolition of the income tax. The right hon. Gentleman the

Chancellor of the Exchequer owed something to Ireland, because during the time that the right hon. Gentleman had been in office the taxation of that country had been very nearly doubled. No doubt the people would benefit very much by a reduction in the charges for passengers and goods, but such a reduction would hardly meet with much favour from the railway companies, because it was very possible that with high fares and few passengers a railway company might return to its shareholders a dividend of 10*s*. per cent more than it would do if conducted on a reduced tariff. He could quite understand that the doubling of the traffic on a railway would have the effect of enormously increasing the trouble and work of the officials, who, in the case of the experiment failing, would be blamed by the shareholders for want of judgment, and in case of success would receive neither credit nor benefit. Mr. Galt and others had shown that by a little temporary sacrifice there would be an ultimate gain to the Government. It was proposed to reduce the charges on goods to something like one-third of their present rate; to reduce the fares of third-class passengers to one farthing; second class to one half-penny; and first class to three farthings a mile. Even were there a pecuniary loss, he apprehended that the Chancellor of the Exchequer could in some way deal with the question. It was suggested that the loss to England would be one-seventh of the gross traffic, and to Ireland of £250,000 annually. There were three or four ways by which the Government might deal with the question, and by which the reduction of fares might be effected. For instance, the Government might say to any railway in Ireland, "Reduce your fares and we will indemnify you for the loss, if there be any; while the gain, should there be a gain, shall be your own." There was another scheme, of paying over a certain sum to the railways in consideration of their adopting a low tariff under Government supervision. Or there was another, and perhaps a better plan, and it was this that the Chancellor of the Exchequer should purchase the Irish railways altogether. The net profits of those railways for some years past were on an average £800,000 a year. In 1862 they were £748,000, and in 1863 £768,000. The whole system might be bought at 25 years' purchase for £20,000,000, and this country would not lose by the bargain. But the Chancellor of the Exchequer said the Government ought not to give 20 millions for their purchase, because, amongst other things, it would lead to a vast amount of petty patronage. Such purchase would be an excellent thing for Irish shareholders, and it was well known that the Government could borrow at 3¼ per cent. Therefore the interest upon the £20,000,000 purchase money would not exceed £640,000, and supposing the Returns from the railways remained the same as now, there would be a profit from the transaction of £160,000 a year. By uniform management, however, there might be a saving of £50,000; or, in Mr. Dargan's opinion, of £200,000, and that would be so much additional gain. At present the Government paid £80,000 a year for conveyance of mails in Ireland, and a very large sum for carriage of troops and stores. All that might be saved, and it would not be too much to say that this country would be a gainer by the bargain which he recommended of from £350,000 to £500,000 a year. Now he would ask, had the Commissioners turned their attention at all to the subject of the railways of Ireland? He had reason to believe they had not. He wished to get rid of the present system altogether. If the Government should take the railways of Ireland into their hands, he should altogether object to their disposing of the consequent patronage according to their present system; and, indeed, he thought that other patronage besides that connected with railways should be disposed of in a judicial manner in open court, the reasons for the decisions arrived at being stated. As long as patronage remained nominally in the hands of the Crown, but really in the hands of the Ministers, the only satisfactory arrangement would be to require all appointments to be made in open court after examination of the competitors by competent judges. At present there was great dissatisfaction at the appointments made in connection with the Queen's Colleges, and people could not understand why it was that the most eminent men in Ireland were passed over. ["Question!"] He maintained that he was speaking strictly to the question, because the disposal of the patronage was an important element in the consideration of a proposition to hand over the railways to Government control. The present mode of managing railways was very unsatisfactory. It was notorious that Boards of Directors were always fighting for what they termed their section of country;

and their fares were either low or high as competition existed or not. Where there was no competition there were very high and even prohibitory rates ; where there was competition very low rates prevailed. He had endeavoured to ascertain the traffic rates for goods on Irish railways, but had been unable to do so, as there were no printed rates, and the Companies charged just what they pleased —a policy which in the result was prejudicial to their own interests, as people would not send any goods but what they were compelled by necessity to send. The goods charges were higher now between Dublin and Tipperary than they were before railways were introduced, and the only advantage was that of increased expedition. The Chancellor of the Exchequer could not confer a greater benefit upon Ireland than by contriving some mode by which, without serious loss to the revenue, or only a temporary loss, the interchange of produce could be facilitated. That could only be done by reducing the fares, and the reduction of fares could only be effected by the intervention of the Government

MR. ENNIS said, that he trusted to the indulgence of the House while he addressed it for the first time. At first sight he was disposed to express his acquiescence in the spirit of the Resolution. He thought that inquiry would do good. But the more the existing state of Irish railways was inquired into the better, and the more honest the direction of those railways would be found to be. He had not, like other hon. Members, three methods to point out to the Chancellor of the Exchequer by which the mighty change that was contemplated might be accomplished ; but in the language of the Mover of the Resolution, he would say that the Chancellor of the Exchequer would be a bold man if he sought to carry it into effect. After seriously considering the matter he had come to the conclusion that the traffic upon Irish railways could only be a very limited quantity. He was one of the pioneers of the railway system in Ireland in 1845–6, believing that railways were the best means of improving the condition of the country. He accordingly induced numbers of persons in Ireland to put their hands into their pockets and contribute to a result that promised so much success. The system at first promised to be most successful. Those expectations, he would admit, had not been realized, owing to the wretched state of the country, not to any fault of the railway companies. He now felt bound to say, as a railway director, that notwithstanding every effort that had been made to regulate the fares and prices according to the traffic offered, the directors had been unable to augment that traffic to anything like a reasonable extent. Some anomalies of railway management had been flung at him, and he had been told that the Duke of Leinster, at Carton, near Maynooth, paid he did not know how many shillings a ton for the carriage of his coals. It was said that this happened because there was no competition at Maynooth. The fact was, however, that at this hamlet there was a most active competition between the railway and the canal. The rate charged for coals on the Midland Great Western Railway, over an extent of 300 miles, was only three farthings per ton per mile, and at that rate coals could hardly be carried with profit. Allusion had been made to the Earl of Clancarty, who was a director of the Midland Railway, and who, it was said, made a proposal to his brother directors that if they would reduce their rates and fares between Galway and Athlone to a certain minimum amount, he would pledge himself if there were loss to make up the deficiency. The directors, however, could not accept that offer without applying the same rates to the other portions of their railway, and there was no one to give a similar guarantee elsewhere. Having, however, done all in their power to assimilate the fares to the wants of the country, the directors were met by the fact that the traffic, as he had said, was a limited quantity, and could not be extended to anything like the amount necessary to make the reduction profitable. Mr. Galt, in his book, had made some very extraordinary proposals. He recommended that the fares should be reduced to an equality with those on the Belgian lines, to the extent of not less than two-thirds, so that the traveller would get for 6*s*. 8*d*. what he now paid £1 for. But when Mr. Galt made that proposal he forgot the Belgian railways were subsidized by the Government, and that they could afford to charge these low rates. He wished this system had been originally adopted in this country, and that the Government had taken into its hands the construction of all the lines. By this means competition would be avoided. What had competition done for Ireland ? There were two railways between Dublin and Athlone, a town of 6,000 or 7,000 inhabitants. The second railway was granted in 1857, when the Royal Duke at the head of the Horse Guards gave evidence of the value of Athlone as a military station. The Committee were told that nothing ought to induce them to reject the opportunity of opening a communication between the metropolis and Athlone, that great emporium for the military. What was the state of Athlone now? There were a barrack and thirty-five acres of land there, which were left in the care of half a battery of artillery and a few men to keep the barrack in order. The Great Southern and Western and the Midland Great Western Railways had similar and harmonious fares and rates, and the traffic managers were instructed not to lose any traffic that could be made remunerative. His experience was quite adverse to any such sweeping reduction of rates of traffic as had been before suggested; but he, for one, should be delighted if the Chancellor of the Exchequer would take under his protection the Irish railways, because everything he touched was turned into gold.

THE CHANCELLOR OF THE EXCHEQUER: Before addressing myself to the Motion, there are two statements made in this discussion to which I feel bound to take exception. I cannot admit to the hon. Member for Cork (Mr. Scully) that there has been any neglect of Ireland or Irish interests in the appointment of the Royal Commission. The hon. Gentleman says there are two or three Scotchmen on the Commission, but only one Irishman. He has investigated the question of nationality with an acuteness to which I cannot lay claim. We did not ascertain the birthplace of every Member of the Commission. But one Member of that Commission is a Peer of great ability (the Earl of Donoughmore) connected almost exclusively with Ireland. The Chairman of that Commission is a noble Duke, holding the first rank among Irish proprietors. Lord Stanley, another Member of the Commission, is directly and largely interested in Ireland; so that I think it can scarcely be said with justice that due regard was not, in the formation of the Commission, paid to that country. In noticing the observations which fell from the right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside), I am not about to utter a single word which could prejudice the final judgment of this House as to the question whether it is or is not right or desirable that a pecuniary boon should be conferred by the United Kingdom at large on Ireland, or that any adjustment or re-settlement of the various questions connected with Irish taxation should not be at a fitting time undertaken. But I do protest against the assumption that there is a debt due from this country to Ireland on the specific ground that Ireland has been injured by the transition from a protective system to the system of free trade. Such an assumption I believe to be wholly and absolutely groundless. The right hon. Gentleman says that Ireland is importing wheat largely. What does that prove but the benefit which she derives from free trade?—because the price of wheat has, in consequence of free trade, greatly fallen. What does Ireland do with the land on which she formerly grew wheat? She raises oats upon it. Has the price of oats fallen owing to free trade? She raises flax and cattle. Has the price of either fallen because of free trade? For my own part, I think nothing is easier than to show the great advantages which Ireland has derived from the free trade system. I do not wonder, I may add, that several Gentlemen who have spoken in this debate have given great credit to my right hon. Friend the Member for Limerick (Mr. Monsell) for having called the attention of the House to a subject which is undoubtedly one of very great interest and importance. I am not surprised at my right hon. Friend's natural anxiety that the investigation of the circumstances and facts connected with Irish railways should not be postponed so as to come on as a mere postcript to a large and comprehensive inquiry. I am not prepared, on the part of the Government, to say that we could assent to the form of Address which he proposes, but I at the same time think it may be in my power to give him the assurance for which substantially he seems to me to ask, and that is that such measures that we can adopt we will adopt with the view of securing inquiry without delay into the circumstances of Irish railways. I entirely concur with my right hon. Friend in several of the propositions which he and others have laid down. It is quite true that the cost of railways is not the regulator of the rates of fares. It is true that it is hardly possible to estimate the advantages which low railway fares may confer on a country. It is true, as he has said, that the problem which he has raised, and manfully confronted, to-night — the difficult and serious problem relating to the intervention of Government in the concerns of railways—is to a certain extent limited and simplified in Ireland by the particular circumstances in which she is placed. I even go a step further, and admit that if it should be the desire of the Imperial Parliament to confer a pecuniary boon on Ireland there would probably be no mode in which that boon could be conferred so free from all taint of partiality, and at the same time so comprehensive and effective in its application, as some measure taken with the view to secure to her the benefits of cheap railway transit. That is a proposition which I look upon as being of very great importance ; but there is, I regret to say, a point in the speech of my right hon. Friend at which I must part company from him. He seems to be of opinion that if the Government were to become purchasers of railways in Ireland — a proposal of vast moment even in the case of Ireland alone, one on which I do not presume to give any opinion, and in the consideration of which it is my duty to reserve to myself and to the Government entire and absolute freedom—it would be necessary for us in the first instance to take upon ourselves the working of those railways. Now, I have no hesitation whatever in asserting the negative of that proposition. I contend that under no circumstances, and for no time, however limited, ought the working of any railway in the country to pass under the direct superintendence of the Government. I look upon the objections to any function of that kind being undertaken by them as so strong as at once to oppose a barrier, supposing it to be an essential part of the proposed plan, to any further consideration of the subject. It has been justly observed by my right hon. Friend that there are various modes in which the Government, if after examining the subject they should deem it desirable to do so, might intervene with the view to secure for this country, or for Ireland, as a portion of the Empire, the benefit of cheaper carriage and transit by railway. We might intervene by purchase, by means of a guarantee, by becoming creditors of railways, taking up the debts for which they are liable, and affording them the benefit of a lower rate of interest. That would have the effect of making a large addition to the net surplus available for dividends, and would enable the Government to make better terms. We are not now, however, in a position to inquire into the merits or demerits of any one of these courses of proceeding; but I do not attach blame to any one that this discussion should have ranged over a wide field. We come, after all, to one question, and that is the question of investigation. Now, the expediency of investigating the facts, connected with our railway system generally has been admitted by the Government, the House, and the country at large. The question raised by my right hon. Friend is what place Irish railways ought to occupy in the inquiry, and he has made certain calculations of profit and loss which he thinks will follow the adoption of the measures which he recommends. He tells us, in general terms, that the gross receipts of Irish railways amount to £1,500,000; that of that sum £750,000, or 50 per cent, goes into the working expenses, and the remaining £750,000 is available for the satisfaction of debentures, preferential claims, and dividends on the ordinary shares. He thinks that if a reduction of fares and charges were made to one-third on an average of the present rate, the effect would be that the first loss consequent on the change would not be above £200,000 or £300,000 a year, and the hon. Member for Cork (Mr. Scully) arrives at a somewhat similar conclusion. Now that, it appears to me, is a very sanguine Estimate. I am glad to hear that it is the opinion of a gentleman who is a great authority on the subject (Mr. Dargan) that a saving of £200,000 a year can be effected in the working charges of Irish railways. The hon. Member for Athlone (Mr. Ennis) who has just addressed the House—and I am sure we should all wish to hear him again—did not advert to that part of the case, but he does not, I apprehend, share in the sanguine notion that the working expenses can be reduced to about 30 per cent, on the gross receipts. This is, however, a material calculation in the proposal of my right hon. Friend, who also gives the Government credit for being able to borrow any sum of money at any ordinary time at the rate of 3 or 3¼ per cent. If, however, he will study the present prices of the Funds he will find it represents not very far short of 3½ per cent. I mention that in order to show that if in order to take up £8,000,000 or £9,000,000 of debenture debt and preferential shares we were to ask for a loan of money to that amount we probably could not obtain it except at a rate exceeding 3½ per cent. The calculation, therefore, in this matter must not proceed on principles which are over-sanguine. But my right hon. Friend went on to speak of the important subject of the conveyance of coals, and he seems to think that a charge of ½*d.* a ton per mile might be taken as a fair and paying charge. I, however, apprehend that what would be a remunerative rate for the performance of the service depends on a great variety of circumstances which no general view could embrace. It depends on the quality of coals taken in the regular course of traffic, on the practicability of obtaining back freights of any kind, on the length of the journey, and on many other things. It would, therefore, be extremely unsafe for us if we were to allow ourselves to adopt or form any rapid conclusions with regard to the results to be achieved in a matter of this kind. I have admitted freely the great benefit which the reduction of fares and charges on railways is calculated to confer. The advantage accruing from it would, in my opinion, be enormous. It would pass with invigorating force through every fibre of the national system. But for that very reason let us not be seduced into any premature conclusions with respect to the cost at which that reduction could be effected. Nothing but the most minute, searching, and comprehensive investigation can possibly enable us to deal safely with a question of this kind. Being of that opinion we have committed it to the hands of gentlemen who will devote to it the time and labour which it demands, and I, for one, do not think it would be convenient for the public service that we should be tied down by the precise terms of the proposed Address. The proposition is that the Commissioners should be directed to turn their attention in the first instance to the Irish railway system. I apprehend, however, that they have already begun their investigation into the English system, and that they have proceeded to take *vivâ voce* evidence with respect to it. It would, under those circumstances, I think, be inconvenient that we should ask Her Majesty to issue instructions which would have the effect of causing the Commission to break in upon the course of their proceedings, and to stop taking that evidence which has been already tendered. The Commission, if it thinks fit, may cause the facts relating to the Irish system to be collected at the same time as those relating to the English system. The facts of the Irish system are of a far simpler character than those of the English system ; for we have not in Ireland those extremely complicated matters of controversy which arise in England from the greater density of population and the more intricate system of competition. What I propose is that my right hon. Friend should withdraw his Motion, and I, on the part of the Government, undertake to use such measures as may be in our power to attain the object he has in view—namely, the examination of all the facts of the Irish railway system without delay and without prejudice to any portion of the subject. At the same time I must beg my right hon. Friend to understand that I hold out no promise to him, because it is much better that the executive Government should not proceed to frame a conclusion which must be hypothetical, and may be delusive, before we are in possession of the facts of the case. By using every endeavour for the early collection of the facts, we shall take the course which will enable my right hon. Friend at the earliest possible moment to make any proposition to the House which he may think fit, or, in case we may feel ourselves enabled to move in the matter, he will be in a position to follow his own course with regard to our proposition should he be dissatisfied with it. With regard to the latter part of the Resolution, which relates to the specific object of enabling us to determine whether the second clause of the general Act of 1844 should be applied to such railways in Ireland as it may be applicable to, I do not go along with my right hon. Friend. I agree with some who have spoken in attaching value to that Act of 1844 as deciding the main question of right in favour of Parliament and the public, if policy and expediency should also unite in deciding us to deal with that Act. But speaking generally, and especially in the case of Ireland, if there were to be any dealing with railways it ought not to be confined to those railways which are subject to the Act. The natural course would be to exclude all idea of mere compulsion in this case, and I do not think a satisfactory measure could be adopted if it were forced upon reluctant bodies of shareholders. What would be more satisfactory would be that amicable communications should take place, that they should not be confined to particular portions, but should embrace the whole system of Irish railways. These my right hon. Friend may think sufficient reasons for him not to press his Motion at the present time. I have every hope and confidence that the facts of the Irish railway system may be brought out within a reasonable period—I cannot say a very short time because this is a complicated matter—and placed before Parliament, so that hon. Gentlemen from Ireland may take any course on the subject which they may think their duty to their country dictates.

COLONEL DICKSON said, he wished to reply to the Chancellor of the Exchequer in respect to one point in which he thought the right hon. Gentleman had fallen into an error in consequence of having misconceived the intentions of his right hon. Friend the Member for Limerick. The Chancellor of the Exchequer seemed to be impressed with the idea that the Irish Members were asking for this measure as a boon to their country. That they utterly denied. They were asking for no boon, but as the highways of the country were the rights of the subjects, they asserted that it was as much the duty of the Government to protect the subject in the enjoyment of the means of travelling as in any other privilege that necessarily belonged to him. There could be no doubt that this was one of the most important questions affecting Ireland that could be brought under consideration at the present moment. The question had been introduced to the House in a most lucid and unanswerable speech by his right hon. Friend the Member for Limerick (Mr. Monsell). Under the present railway system the people of Ireland were almost deprived of the benefits to which they were entitled of travelling from place to place. It was proved that in Belgium persons were conveyed by railway at about one-third of the rate charged for the same distance in Ireland; nevertheless, the Belgian proprietors had much larger profits. The history of our railways in England proved the same fact. Some time ago, when a great competition existed, the London and North Western Railway Company reduced their fares for a distance of 340 miles from 60*s.* first-class, and 40*s.* second-class, to 7*s.* 6*d.* and 5*s.* respectively. And what was the result? Why, there was only a loss of 10*s.* per cent. That example was sufficient to show that low fares generally increased the dividend by the immense augmentation of the traffic which such a step was sure to produce. In his own country the Foynes Railway had at one time increased their fares for a certain distance from 3*s.* 6*d.* to 4*s.* The consequence was a great falling-off in the traffic. The directors, seeing the error they had committed, reduced their fares, and from that moment the traffic had considerably increased. The great evil they had to contend against in Ireland was the jealousy and want of co-operation between the different lines of railway. He had himself been a director of one or two small railways, and he had found that owing to that jealousy the larger lines took every means to prevent the smaller lines from developing the traffic which they otherwise could do. The Chancellor of the Exchequer had given a most satisfactory promise that the interests of Ireland should be consulted at the same time as those of England and Scotland; but he could not see the necessity for that elaborate and protracted investigation which the right hon. Gentleman appeared to anticipate. It was now twenty-one years since this subject was first mooted. The Chancellor of the Exchequer, who was the President of the Committee which sat upon the subject in 1844, introduced a Bill in that year which he carried through Parliament. All the anticipations then expressed by the right hon. Gentleman from that measure had since been more than realized. He stated that there was no likelihood that the experiment of the greatest possible cheapness to the public would be tried under the present system; and as it had not been tried during the last twenty-one years it was not probable that the public would obtain the benefit of such an experiment in the future. Also in remarking upon the receipts of the railway companies, which were then only £5,000,000, he said he did not think he was extravagant in his expectations when he anticipated an increase of receipts to £15,000,000 in some few years hence, and dwelt upon the importance of having a Government supervision of so large an expenditure. Well, the receipts now amounted to £36,000,000 a year—being much more than double what the right hon. Gentleman had anticipated. This was a question deserving the best consideration of the Government, who could perform no worthier act than to take into their hands the supervision of those railways. When the right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside) spoke of the prosperous state of the country through which he passed in his tour last autumn, it should be recollected that he had avoided altogether the southern and western districts of Ireland, where misery of the most extreme character prevailed. Now he (Colonel Dickson) believed that nothing would lead more to the reduction of that misery than the development of the resources of the country by means of railways with low fares and under the supervision of the Government. In his own part of the country there were some millowners who were obliged still to send their produce by means of ordinary cars and carts over the old roads instead of by railway. All the Irish Members asked was that the Chancellor of the Exchequer would but carry out those views in respect to Ireland which he had expressed twenty-one years ago.

Mr. LEFROY said, he could not let the debate close without expressing his heartfelt gratification at the mode in which this subject had been treated. It was most satisfactory that the peculiar circumstances of Ireland in reference to its railway system should have been considered in such an admirable spirit and temper by hon. Members on both sides of the House. The Irish Members especially owed the right hon. Gentleman the Member for Limerick (Mr. Monsell) a deep debt of gratitude for the able and argumentative manner in which he had brought this question under the consideration of the House. He (Mr. Lefroy) must also express his satisfaction at the way in which the Chancellor of the Exchequer had treated this question, which filled him with hope for the future. He quite concurred with the right hon. Gentleman in the objection which he entertained to the Government undertaking the management of railways, though it would be well if they would to a limited extent undertake their control.

Mr. MONSELL said, that after the statement of the Chancellor of the Exchequer, which was all that he wished for, he could not have the slightest hesitation in withdrawing the Motion.

Amendment, by leave, *withdrawn.*

THE SCHLESWIG HOLSTEIN DUCHIES.

QUESTION.

Sir HARRY VERNEY said, he rose, with reference to the Despatch of Earl Russell to Her Majesty's Embassies at Berlin and Vienna of the 8th instant, concerning the recognition of the Provisional flag of the Duchies of Schleswig and Holstein, to ask the Under Secretary of State for Foreign Affairs, Whether the following construction of that Despatch is correct:—First, that in recognizing the said Flag, Her Majesty's Government intend to grant to the ships bearing it the rights which belonged to the ships of the Duchies before their separation from Denmark, but only provisionally, and until the definite constitution of the Duchies is settled; secondly, that in saving the rights of the States of Holstein and Schleswig and of the German Confederation, Her Majesty's Government recognizes the rights of the said States to express their will as to their Constitution and as to the question of Succession, and that though the German Confederation has a right to decide for Holstein, the territory of Schleswig is beyond its control, and therefore the final settlement of both Duchies must receive the sanction of the great European Powers. He was induced to address to the hon. Under Secretary for Foreign Affairs the Question of which he had given notice by his anxiety that there should be no doubt or misapprehension as to the course adopted by the Government, and the terms on which this country stood with the Duchies of Schleswig and Holstein and the German Powers. It was important for the peace of Europe, and therefore for the welfare of this country, that Germany should be powerful; but she could be so only by the unanimity of her inhabitants, and the possibility of such unanimity was destroyed by the conduct of the Minister of Prussia. He was seeking to bribe his countrymen by obtaining for them that to which they had no claim—the annexation of Schleswig and Holstein, or a paramount influence in those countries. That Prussia, as well as Austria, was aware of the groundlessness of the claim was proved by their joint declaration at the London Conference of 28th May, 1864, whereby they demanded the—

> "Complete separation of Schleswig and Holstein from Denmark, and their re-union in one State under the sovereignty of the Hereditary Prince of Augustenburg, who not only could show his right to the satisfaction of all Germany, and whose recognition by the Diet was therefore certain, but who united the suffrages of the immense majority of the inhabitants of those countries."

Prussia knew that Austria would never listen for a moment to any such proposal were it not for her own fears in Italy, and the possibility that she might require the aid of Prussia for the preservation of her non-German provinces. Prussia had acknowledged the rights of Denmark with a view to induce her to cede them to herself. But Prussia had said in the declaration he had just quoted that Denmark had no rights to cede, as after the death of the late King the Duke of Augustenburg became the Sovereign of the Duchies. Prussia and Austria, the actual co-partners in the government of the Duchies, did not grant that which France and England had repeatedly urged —namely, that the voice of the inhabitants should be heard. The Parliaments of Schleswig and Holstein were freely elected; in the days of the Danish sovereignty they were annually assembled; but since the commencement of the present difficulties they had never been summoned. They ought to be called together, and the question of the succession submitted to them. Prussia sought to settle it without them, to gain over some great landowners to her side, and to accept their sentiments as the voice of the nation. In this they deceived themselves and sought to deceive others. Thus, Count Charles Plessen's declaration, aiming indirectly at annexation with Prussia, at the end of six weeks received less than 200 signatures. A counter-declaration in ten days received 46,000. The "immense majority," according to the Austrian and Prussian Note of May, 1864, were for their own legitimate Sovereign. They desired him as their independent ruler. Prussia was not content with keeping the Duchies in diplomatic, commercial, and military affairs dependent on the Cabinet of Berlin; she sought to absorb them altogether. It was notorious that the Duke of Augustenburg was willing to consent to any terms to which Austria, Prussia, and the Confederation, all three, would consent; but this did not satisfy Prussia. She wished conditions with herself alone, and for her sole advantage. The means resorted to by the Prussian Government to carry their object were such as would excite astonishment here, accustomed as we were to the frank, straightforward and truthful proceedings of our Ministers, of whatever political party. Handbills and papers signed "an inhabitant," but coming from Berlin, were circulated by thousands in the Duchies; they contained the most palpable and absurd falsehoods, exaggerations, misrepresentations and aspersions on the character and intentions of the Duke of Augustenburg; and they appealed to the lowest prejudices, hopes, and fears of the inhabitants. He held one in his hand, in which the Schleswig-Holsteiners were told that if they had an independent Government under the sovereignty of the Duke they would have to pay the whole expenses of the war, which would be exacted to the last farthing; whereas, united with Prussia those expenses would be borne by the whole kingdom, and the inhabitants of the Duchies would hardly feel them. Under a separate Government the taxes would amount to 87 dollars per head; but, united with Prussia, to not more than 14 dollars. In the *Kreutz Zeitung* and the *Nord Deutsche Allgemeine Zeitung*, the semi-official journals circulated in Berlin, the Duke of Augustenburg was represented as a low democrat, while in the papers circulated in the Duchies and worked by the Prussians themselves he was described as a bloodthirsty aristocrat who intended to re-establish serfdom, and the like. It was, however, remarkable, and indeed somewhat amusing, that all this, instead of acting in the sense desired, had an exactly contrary effect, the Schleswig-Holsteiner being particularly inaccessible to this sort of underhand work, which only rendered him suspicious and more obstinate in the maintenance of his own opinions. Four months ago Prussia might have done almost anything she liked with the Duchies, short of getting them to break their solemn word plighted to the Duke. Now she was fast advancing to occupy the position vacated by Denmark. The whole and sole cause of this was the unjust, faithless, and unscrupulous conduct of the Minister of Prussia. This policy of Prussia failed in its object; it produced a feeling of shame among the most honourable and enlightened people at Berlin and throughout the entire kingdom, and excited the jealousy and hostility of the rest of Germany. He contended that we in England suffered from it. We wanted Germany to be a Power of the first importance in Europe—perhaps we even wanted her to be the most powerful country in Europe—as a conservative and peace-preserving nation in the midst of the continent. Further, we knew that a confederation of States was not the most efficient machinery for government in times of difficulty. We wished to see Germany guided and led by some wise and powerful Government. We should wish to see her under that of Prussia, if Prussia were under the rule of a Ministry temperate, honest, and constitutional. The most effective guarantee of European equilibrium was to be found in a strong Germany and an united Italy. Nothing would gratify us more than to see Prussia strengthened by organic union with such portions of Northern Germany as might enter such a union voluntarily, and even in case of attack from Russia or France, disposing of the military and naval forces of those portions of the Fatherland. We should rejoice to see a North German navy. Such a force would furnish an additional guarantee for peace on the ocean, and peace on sea and land and orderly government everywhere were the objects most to be desired by a commercial country like our own. In the ambitious aggressions of Prussia we saw danger for the tranquillity of Europe. We know that Prussia had Rhine provinces not very attached to her, and we do not wish that she should afford to the French Emperor an excuse to seize them by way of compensation. But it was only too apparent that voluntary and mutually defensive union with the Duchies was not the object sought by Prussia. He should not say Prussia, but M. Bismark, the present Minister of Prussia. His aim was to add the Duchies to the Kingdom as a means of gaining popularity for himself, reconciling the Prussians to his rule, and diverting their attention from home politics and constitutional privileges. He believed, and confidently anticipated, that the attempt would fail. His anticipations rested on his confidence in the love of justice and truth of the whole German nation, especially of the people of Prussia. He did not believe that they, or their free representatives, would be seduced by the acts of the Minister; that they would surrender the constitutional rights and liberties of their country for the sake of obtaining Kiel as a Prussian harbour, or the Eider Canal as a Prussian water way. They would insist on justice being done to the long injured, but steadfast and determined, inhabitants of the Duchies, and this alone could restore to Germany the unanimity which would render her really powerful against any threat from without, and retain for her her just influence and true character—that of a mighty conservative Power in the midst of Europe, with populations well governed, prosperous, and contented, able to curb the ambition of France on the one side and the aggressions of Russia on the other, and gradually, but surely, advancing in material welfare and in all that appertains to true freedom and the blessings of constitutional orderly government.

Sir FRANCIS GOLDSMID said, that the hon. Baronet (Sir Harry Verney) had addressed himself to the task of proving that Prussia was deceiving, or attempting to deceive, the inhabitants of Schleswig, but he had forgotten to tell them the part he had acted last Session. The hon. Baronet forgot that he and those who thought with him, had witnessed with something like pleasure, the intervention of Prussia and Austria on behalf of what the House had been told were "oppressed nationalities." They had been told last year by those hon. Gentlemen how badly Denmark treated the people of the Duchies; how she compelled them to speak Danish instead of High Dutch, and subjected them to other oppressions of that character. But now, on the showing of the hon. Baronet, it would appear that Prussia treated the feelings of the people of the northern portion of Schleswig with more contempt than had ever been exhibited towards the other portions of the Duchies by Denmark. He could not think that any Englishman could be satisfied with the state of things now existing; but last year the hon. Baronet could not see that the idea of Prussia, a semi-despotic Power, which held other nationalities in oppression, coming forward to emancipate the people of the Duchies was the merest delusion. It was some satisfaction to those who had opposed her designs to find the hon. Baronet confessing the delusion. The hon. Baronet was now surprised that Prussia should have but one object in view—her own aggrandizement. He, also, was astonished; but his astonishment was at the hon. Baronet's being surprised; for he thought that what was so obvious now was quite as obvious last year.

Mr. LAYARD said, that his hon. Friend (Sir Harry Verney) had placed on the paper two questions; but he had not put those questions to him, nor had his speech any relation to them. Last year the hon. Baronet was a most earnest advocate of the measures which the German Powers were then taking with regard to the Danish Provinces, while his hon. Friend the Member for Reading (Sir Francis Goldsmid) and himself endeavoured to check his sympathies for those oppressed nationalities. Last year his hon. Friend was most anxious that Her Majesty's Government should not interfere. Well, with respect to the first part of the question, he had to state that Her Majesty's Government had not interfered since the termination of the war; and he had no information to give as to what was taking place in the Duchies of Schleswig Holstein. When the Duchies were separated from Denmark they were placed in a very anomalous position. They were not a part of the territories of Prussia and Austria, and they were not a part of Denmark. The Duchies had ports and shipping, and it was necessary that they should have a flag, and it was thought necessary by Her Majesty's Government to give a provisional recognition to that flag. With regard to the second part of the Question, his hon. Friend attached admissions to that recognition which he could not countenance. By recognizing the flag Her Majesty's Government merely gave it a provisional status, and it was not intended thereby to recognize any rights of Prussia and Austria, or any right of the Germanic Confederation. It was merely a matter of convenience. When Her Majesty's Government provisionally recognized the flag, they did not by that act admit the rights of either one party or the other.

THE DIOCESE OF EXETER.

QUESTION.

Mr. WYLD said, that when the inhabitants of Cornwall represented to the Government last year that they ought to have a separate diocese created, the right hon. Gentleman the Secretary for the Home Department said he could not entertain the question until the re-organization of other dioceses in England, besides that of Exeter was being arranged. He was afraid that if the inhabitants of Cornwall were obliged to wait for that step to be taken they might have to wait a long time. The right hon. Gentleman also said that he trusted that the increased facilities in regard to travelling would put an end to the inconvenience which had been felt by the people of Cornwall in consequence of their bishop residing at a distant part of the diocese. But that great inconvenience had not been removed. The county of Cornwall stood by itself. The diocese of Exeter was without a parallel. It now included the county of Cornwall, contained an area of 2,000,000 square acres, and a population of more than 1,000,000. From the residence of the bishop to the extreme point of the diocese was nearly 120 miles, exclusive of the Scilly Isles, which was about twenty miles from Cornwall. The Archbishop of Canterbury thought that the present diocese of Exeter ought to be divided, and his Grace and the bishops and clergy of the Archdiocese of Canterbury in Convocation assembled had adopted a memorial expressing that view. The Bishop of Exeter had exhibited those good qualities, and exercised all the superintendence which it was possible for a prelate to do, but it was physically impossible for one man to attend to the requirements of the diocese, and the bishop was in favour of the severance proposed. Moreover, the Chapter of Exeter and the clergy of Cornwall had joined in a recommendation for the severance. The want of a new bishop was exceedingly felt in West Cornwall, and it was not merely a modern requirement, for Henry VIII. had proposed to create a new bishopric there. He trusted that the Government would be prepared to satisfy the wishes and wants of the people of that part of the kingdom, and he would beg to ask the Secretary of State for the Home Department, If Her Majesty's Government will sanction the severance of the county of Cornwall from the diocese of Exeter, and the erection of that county into a separate See?

Mr. F. S. POWELL said, he hoped the House would allow him to offer a few remarks upon this subject in its more general aspect, and he did so because, in the letter of the right hon. Secretary for the Home Department to the Archbishop of Canterbury, last year, the question of a bishop for Cornwall was blended with the question of more bishops throughout England. When the Reformation of the English Church took place it was intended to extend the number of bishops by twenty, but that idea was not carried out, and since that period the great increase of the population had increased the want of bishops. He believed that all who had an opportunity of coming into contact with the bishops must have felt that they were an overburdened and overworked body of men. As a practical man, he feared that the idea of a large extension of the episcopate must be abandoned for the present. It would be in vain to ask the House of Commons to give the country some thirty or forty more bishops, in accordance with the requisitions of some more sanguine churchmen, but a more moderate course had been proposed. The third and final Report of the Cathedral Commission recommended the creation of four new bishoprics—namely, Westminster, Southwark, Cornwall, and the division of Gloucester and Bristol. During the late sittings of the Convocations, there was a remarkable concurrence of opinion. The Convocation of Canterbury recommended three new bishoprics—namely, Southwark, Bodmin or Truro, and Southwell, and the Convocation of York, three—namely, St. Alban's, Southwark, and Bodmin or Truro. Both Convocations agreed that the populations inhabiting the dioceses of London, Manchester, Exeter, and Lichfield, were those which ought to be served by an augmentation. His own opinion was, that if the Church were allowed to be free in this matter, and were granted some assistance from the Episcopal Fund in the hands of the Commission, there would soon be sufficient funds. If the same temper and spirit were shown in regard to dioceses as had been exhibited in reference to parishes, there would result from the action of the friends of the Church a subdivision of the dioceses, and the same advantages would follow as now flowed from a subdivision of parishes. He hoped that the expressions made use of in the last cathedral Report would be received by the Government with favour. There was a growing opinion out of doors in favour of an increase of the episcopate, and this was especially manifested on every occasion when members of the Church met together, and especially in the Congresses at Bristol, Manchester, and Oxford. He was sure that great benefit would follow to the Church if a considerable and speedy increase were made in the number of its chief pastors, who, he believed, were gaining in public estimation. No inconvenience would arise from acceding to the concession asked by the hon. Member for Bodmin.

MR. AYRTON said, he hoped it would not go forth that there was any purpose of increasing the number of bishops from three to thirty. He thought that the hon. Member for Bodmin (Mr. Wyld) had only done a natural thing in bringing forward that subject, considering the constituency he represented; and that the hon. and learned Member for Cambridge (Mr. Powell), acted upon by a like influence, also naturally favoured an addition to the number of Church dignitaries. But it would, in his opinion, be a great misappropriation of the funds under the control of the Ecclesiastical Commission if a set of new bishoprics were now to be created and endowed. As to the endowment of new bishoprics by means of money raised by Churchmen, it would be time enough to deal with that proposal when the money had really been subscribed for it. [Mr. F. S. POWELL: In one case £9,000 has been promised.] The clergy did not desire an increase of episcopal authority. If anybody sought to gather from a clergyman what his idea of a bishop was, he would find that he regarded a bishop as a person who held an exalted station as a prize for superior learning or some other qualities, and that the last thing he would admit was that a bishop ought to exercise authority over him. The real want of the Church was not more bishops, but more efficient ministers, who would devote themselves to benefiting and instructing the poorer classes of the community, and bringing within the pale—he would not say of the Church, but of the religion of the country — masses of the people who were in as complete a state of atheism or heathenism as the inhabitants of Central Africa.

SIR GEORGE GREY said, that the question of the hon. Member for Bodmin was entirely confined to a division of the diocese of Exeter, by separating from it the county of Cornwall. On that subject the opinions of the Government were expressed very fully in a letter which he had addressed at the beginning of last year to the Archbishop of Canterbury, and which had been laid before Parliament. In that letter he had stated the objections of the Government to the adoption of that scheme. It was impossible to treat the diocese of Exeter as an exceptional case, or to deal with it without any reference to other dioceses, as indeed had been implied by the speech of the hon. Member for Cambridge (Mr. Powell.) He was aware that a strong desire existed in some parts of the diocese of Exeter for its division, and that a contest had already commenced between the towns of Bodmin and Truro as to which of the two should become the cathedral city in the event of such a division taking place. He gave all due weight to the considerations founded on the very large area of the existing diocese of Exeter; but there were six other dioceses with larger populations, and some of them with a very extended area, and in some of those six a desire had also been expressed in favour of their division. That was the case in regard to the diocese of Durham some years ago, but now the desire for its division had considerably abated, owing to the activity of the late and present bishops of Durham, and zeal that had been shown in the efficient discharge of their episcopal duties. A similar wish had likewise been strongly expressed in respect to the diocese of Winchester, and claims had been set up for the creation of a bishopric of Southwark, as had also at one time been the case as to Westminster. In his letter to the Archbishop of Canterbury to which he had referred, he had said—

> "Looking to the whole of England, it will be seen that there are several dioceses which, although they do not quite equal that of Exeter in extent of area, yet combine the two elements of a very extensive area and a very large population. If, therefore, Her Majesty should be advised to accede to the present proposal, and to direct measures to be taken with the concurrence of Parliament for the creation of a separate See for Cornwall, it would scarcely be possible to refuse to entertain similar applications in respect of other dioceses, and great inconvenience would result from the separate consideration of each case, apart from its relation to the whole country and to other dioceses."

With regard to the diocese of Exeter, he believed that no bishop had been more active in the discharge of his duties while his years and his strength enabled him to attend to them than the venerable prelate who now presided over that diocese; but, considering his advanced age, it was impossible that the diocese could now derive all the benefit which it formerly enjoyed from his personal superintendence. Still it is not necessary to assume that the diocese of Exeter must necessarily suffer from a deficiency of episcopal supervision, the bishop having made an arrangement by which, under the authority of an Act of Parliament, he had appointed an ex-colonial bishop to assist him in his duties of a spiritual nature. With regard to the general question, the Government felt that it was one involving many important considerations, and they did not think there was at present any such necessity for a general revision of the boundaries of dioceses as demanded the immediate attention of Parliament. The Archbishop of Canterbury, in a letter to him on the subject of the division of the diocese of Exeter, said he found—

> "That there was no indisposition to raise a considerable sum of money in the diocese towards the endowment of a bishopric for Cornwall;"

and in his reply to his Grace he had said—

> "But Her Majesty's Government do not understand that the whole of the requisite endowment for a new See would be thus provided. If any considerable portion of such endowment, or of other expenditure incident to the creation of a new See, would have to be provided out of the funds in the hands of the Ecclesiastical Commission, it would be a matter for grave consideration whether it would be more conducive to the highest interests of the Church, and the spiritual welfare of the people, that these funds should be appropriated to an increase of the episcopate, than that they should be applied as they are now in increasing the means of spiritual instruction in places where existing endowments for the clergy are confessedly inadequate."

If four or five new bishoprics were created, a sum of from £20,000 to £30,000 a year would have to be deducted from funds which were now being applied most usefully for the benefit of the Church and the spiritual welfare of the people, in the augmentation of small livings and the employment of additional clergy in populous districts. He did not think it would be expedient to divert existing funds from those purposes. As to the spiritual wants of Westminster, he had not heard recently of any complaints of the Bishop of London being unable to superintend that part of the dioceses; and if a new bishopric were created there, he (Sir George Grey) thought it would be a diversion of money from objects of great importance to one not really required. Considering the present greatly increased facilities of communication by railway and by post, which facilitate the superintendence of a diocese of large extent—and considering also the zeal and activity evinced by many of the bishops, he did not think that any sufficient ground existed at present for entertaining the general question of a re-adjustment of the boundaries of dioceses, nor could he hold out any hope to his hon. Friend that the Government could now recommend the Crown to take steps for dividing the diocese of Exeter.

EXPEDITION TO BHOOTAN.

OBSERVATIONS.

MR. HENRY SEYMOUR said, that he wished, before Parliament separated for the holidays, to say a few words on a most important subject, he meant the great disaster that had befallen the expedition to Bhootan. The loss of two guns to any portion of Her Majesty's army was a circumstance which so seldom happened that he thought some special inquiry should be made concerning it. It appeared that on the borders of Bengal was a district inhabited by the semi-savages of Bhootan, who had made such repeated incursions some time ago, that it was considered necessary that an expedition should be sent into the territory. That expedition was planned last year, at considerable expense. It was well planned; it advanced into

Bhootan, and was successful. A portion of the Bhootan territory, whether rightly or wrongly he should not presume to say, was annexed, the Natives were said to be satisfied with British rule, and the whole expedition was supposed to be over. The expedition cost upwards of half a million of money. A very slight loss occurred in men from the enemy, but a large proportion, possibly one-third, of the expedition, perished from disease. Scarcely, however, had the European force been withdrawn and replaced by a civil force of police and Native troops, than it was found that they had been made the victims of a *ruse* on the part of the people of Bhootan. Suddenly an attack was made on us; the forts we possessed were taken, and a force, under the command of British officers, was obliged to retreat in complete confusion with the loss of two guns. This was a most important circumstance in itself, from the loss sustained, and more especially from the effect it would have on the whole frontier which separated Hindostan from the other parts of Asia. He hoped the Secretary of State for India would give the House what information he could on this subject. The original circumstance of the expedition to Bhootan was, he thought, open to very great doubt indeed. He would go farther, and say that Mr. Ashley Eden, the gentleman sent on that expedition, the Envoy who suffered the insult which led to this expedition, had previously played no unimportant part in India. He had been the cause of the quarrels between Europeans and Natives on the question of indigo, and no doubt that gentleman had not displayed the discretion and prudence to be expected from persons deputed by the Government of India to manage important affairs. That gentleman certainly received no praise for his conduct either in India or in England on that occasion, and the disputes which his conduct was the primary cause of occasioning, led to very disastrous consequences in Bengal. It was extraordinary that a gentleman who had not signalized himself by any prudence in the position which he previously occupied should have been selected for this very delicate mission as an Envoy to Bhootan. That was one of the points in which the Government of India was, perhaps, open to blame, but he was unwilling to discuss the question till the papers were laid before them. He hoped the Secretary of State for India would explain how a territory of this sort, recently annexed, was left with so small a guard, and as he had the telegraph at his command, he would give them his views as to the Governor General's allowing the Government of Bengal to take this matter into their own hands. While it was in the hands of the Commander-in-Chief the affair was successful, why then was it left to the inferior Government of Bengal? He did not wish to prejudge the question, but the circumstances were of so exceptional a nature that he hoped the fullest explanation would be given before the House separated for the holidays. They all knew what was the effect of the slightest disaster in a country situated like India; and they had seen on a former occasion how great a flame a little spark had kindled. No doubt all over the frontier this disaster would be immensely magnified. He trusted the right hon. Gentleman would give them at the earliest opportunity all the papers relating to this subject, accompanied with a good map, so that they might be enabled to understand the whole question, and that a full inquiry into it would be made.

Mr. VANSITTART said, the hon. Gentleman was mistaken in supposing that any European force was sent to Bhootan. It appeared to him that the same mistake which was committed last year in the Hill war on our North Western frontier had been repeated this year in Bhootan—namely, that of despising the enemy. In defence, however, of the conduct of the 43rd Regiment Native Infantry, which ran away from Dewangiri, he had authority for stating that that regiment went into action with but one European officer beside the colonel fit for duty. It was notorious that Asiatic troops would not behave well in action when they were under-officered, and all the Native regiments in India were in this state, owing to the right hon. the Secretary for India, in spite of all warnings and protests, converting the regular Native troops into irregulars, and thus reducing the number of officers from twenty-four to six. Besides which, the unfortunate system that had been introduced in carrying out the amalgamation order had had the effect of making commanding officers entire strangers to their men, and destroying the sympathy which used formerly to exist between them. In fact, no officer could now-a-days lead into action, as in the old time, men with whom he had been acquainted since his boyhood. With regard to this war there had unquestionably been great mismanagement, and the time that was suffered to elapse between the insult offered to our Envoys by the Bhootan Court and the despatch of troops to avenge it had been attended with the worst results. In dealing with barbarians like the Bhootans promptitude of action was necessary, for they attributed inaction to hesitation and fear. Moreover, instead of employing a Native force, of which, with the exception of the Ghoorkas, all seemed to have behaved more or less badly, it would have been better had we organized, in the first instance, a compact, flying European column, for whose operations when the war first commenced the weather was very favourable, it being the commencement of the cold season. This course was, he believed, now being taken, but much valuable time had been lost. Looking to the advanced season, he feared that our gallant European troops would suffer greatly from malaria and cholera. It appeared to him that instead of that feeble policy of occupying a few trumpery passes, our troops ought to have marched boldly into the heart of the country, and after inflicting a severe blow on a despicable enemy, armed with bows and arrows, have concluded a peace and retired from their sterile hills. That might have been effected with comparatively little loss of life and treasure, and without injury to our prestige. This was the course pursued by that clear-minded man, Lord Ellenborough, on the occasion of the second advance of our troops into Affghanistan, and it had been attended with the best results, for we had commanded the respect of that warlike nation ever since.

Mr. GOSCHEN said, he hoped the right hon. Baronet would give the House some information as to how it was the local Bengal Government had been suffered to act instead of the Supreme Government, and whether the Commander-in-Chief was responsible. It appeared that the local Government were responsible for sending the Native troops without European officers, and it was highly improper that any local Government should be allowed to plunge the Government into war.

Mr. TORRENS said, that the hon. Gentleman who introduced the subject was somewhat in error when he spoke of the European troops in the expedition. The great fault that was to be found with those who had projected it was that no Europeans whatever had been employed, except some twenty artillerymen for the management of the two Armstrongs, which, he was sorry to say, had been deplorably lost in the disgraceful flight from Dewangiri. The House had very little information with respect to this expedition. The right hon. Gentleman (Sir Charles Wood) he believed had received little. But if he had received any he had certainly not revealed it to the public. So far as the facts had reached him (Mr. Torrens), it appeared that the operations of the force were attended with tolerable success during the season favourable to their employment; but when that period had elapsed, and many of the English officers became too ill to remain in the country, their number was consequently diminished, even the Native men were reduced by half; and the sad disaster of Dewangiri took place. It had been stated in a letter from Calcutta, which had been yesterday published in *The Times*, that the 43rd Native Infantry — composed, as he understood, entirely of Assamese who were a very cowardly race — were left to garrison the stockade at Dewangiri. But many of these men were only enlisted in October, the very month that this war begun, who had never been drilled, and were the first to run away from their post. The consequence was, that the rest of the regiment, too, also misbehaved; they ran away, and we lost our guns. Now, was it fair to leave British officers in command of such a rabble, some of whom were stated in the letter to which he had referred not to have received a day's drill. The right hon. Gentleman had stated, in reply to a question last evening, that an inquiry would be instituted into the management of this expedition. But who was to institute it? Was it the Governor General, or Mr. Beadon, the Lieutenant Governor of Bengal, who were both responsible for the grievous ill-management of the expedition? The Governor General must be held responsible for sending an expedition into a difficult and mountainous country, composed of a bad description of Natives, solely without any European force to support—doing this in the teeth of all Indian experience, which shows that for the lengthened operations of a campaign Natives are not to be relied on unless they are sustained by British bayonets. He thought the inquiry ought to be instituted in England. As to the fate of our soldiers, who in the rainy and hot season were to be pushed forward into that ill-provided country, he would not dwell upon it, but he looked forward to the consequences with great apprehension. He hoped the House would receive from the right hon. Gentleman complete information upon the subject as far as it could be given.

Sir CHARLES WOOD said, he was puzzled as to how he should set about answering the various conflicting and inconsistent statements which had been made by hon. Gentlemen who had taken part in this debate. Indeed, many of the statements which had been alleged seemed to him to be the reverse of the truth. The hon. Gentleman who had first spoken stated that the Government had withdrawn the European troops from the expedition. But the fact was that no European troops had been sent, and none having been sent none could be withdrawn. The hon. Gentleman then said that, though our loss at first was small, he understood that we had since then lost one-third of our men. [Mr. Henry Seymour: It appears so from the newspapers.] He (Sir Charles Wood) could not account for the reports in the newspapers; but he could say this, that we had lost neither one-third nor any considerable portion of our force. The whole statement, in fact, appeared so entirely without foundation that he was at a loss to conceive whence it could have come. [Mr. Henry Seymour: Have not two guns been lost?] The hon. Gentleman, again, had talked of the immense loss we had sustained in the occupation of the Dooars. But he (Sir Charles Wood) informed the House last night that the actual loss, in effecting that occupation, except what had occurred from an accidental explosion, was only five men. What we had lost since then he could not pretend to say, but it might be forty or fifty men. However, instead of attempting to follow the various statements which had been made, perhaps the best course to take, and that most satisfactory to the House, would be to give a history of what had actually taken place. And in the first place he might be allowed to say that the papers which had been laid upon the table would afford the most complete information up to the time of the occupation. The India Office had been most desirous to give every information which could throw light upon the question, and the papers had been ready for some time, but the noble Lord had asked for a map in order to illustrate the operations; and so defective were the materials at their command, that the office had been employed for a long time in collecting the necessary information for making a map, and it was only at the commencement of last week that they had succeeded in doing so. The delay that had taken place, then, was entirely owing to the anxiety of the Department to furnish the House with this map. For many years past inroads had been made by the people of Bhootan into our territories, and before the mutiny broke out it had been determined by the Indian Government to send an expedition into that country with the view of bringing the aggressors to account, and also to rescue a number of British subjects who had been carried off into slavery. The mutiny, of course, put an end for the time to any idea of the sort, and when Lord Elgin went to India he was anxious, in conformity with the directions which he had received from home, to avoid having recourse to a military expedition. Lord Elgin, therefore, determined to send a mission to the capital of Bhootan, in order to make arrangements with the authorities there for the restoration of the British subjects who had been carried into captivity, and to obtain some security against future aggression. There was no reason at the time to apprehend that the mission would be ill received, because a former one had been treated with the utmost consideration and courtesy. And here he wished to say that the Government had no reason to believe that Mr. Eden was not, in all respects, a perfectly fit person for such a mission. On the contrary, that gentleman had conducted a mission to Sikhim, with great ability, and in this last occasion he had behaved with remarkable discretion in a position of great difficulty. The mission, however, was entirely unsuccessful in obtaining redress, and it would be perfectly impossible for any Government, which had a regard for its own honour, to submit to the indignities which had been offered to it in the person of its envoy. The circumstances to which he alluded took place in the course of last summer, and it was then determined that measures should be adopted in order to force from the Bhootan Government redress for the injuries which it had inflicted upon British subjects. It would have been perfect madness to send our troops into that country in the hot season. The advance was made at the earliest moment which was consistent with the health of our troops, and that was about the 1st of

December—only a few months after Mr. Eden's return. There was no unnecessary delay subsequent to the return of Mr. Eden. It would be seen by the papers that there were three courses suggested as possible to be pursued with the view of bringing the Bhootans to reason. One was the permanent annexation of Bhootan, the second was the temporary occupation of the country, and the third was the occupation of the Dooars, a portion of which we had always held, including the occupation of the passes from the hill country through which plundering expeditions had been made, and by the holding of which passes protection would be given to the people below against the inroads of the highlanders. He was entirely against the annexation of Bhootan, and he also objected to the temporary occupation; because, looking at the total disorganization of the Government of the country, it would be difficult for any sovereign chief with whom we might make a treaty to hold his position unless he had our support, and this would involve us in the internal concerns of that country. That was a policy which it would be wise to avoid. The course which was recommended — the occupation of the Dooars—met the approbation of all those persons who were best acquainted with the locality, was determined upon by the Government of India, sanctioned by the Commander-in-Chief and by the Home Government. This course was adopted because it was the least expensive, would lead to least subsequent mischief, would be most likely to attain the end in view, and promote the welfare of the people. In the beginning of December a force which had been determined upon by the Government of India, and placed under the command of a general officer, advanced for the purpose of occupying the portion of the country to which he had referred, and that occupation was so successful that had it not been for the accidental explosion of a mortar, they would only have lost five men up to the end of December. Our troops were in the occupation of the forts, and no resistance was offered. The whole undertaking had been under the direction of the Government of India. The Government of Bengal being a local Government, was quite subordinate to the Government of India. Towards the end of January the Bhooteahs assembled in force in front of two of our positions, but we still retained possession of the two places, Buxa and Dalimkote, which the hon. Gentleman said we had lost. Dewangiri was abandoned because it was cut off from any supply of water, and we were not driven from it by any attack made upon the troops. The officer conducting the evacuation, having to remove his two guns by manual labour, and the strength of men dragging them failing, spiked them, and threw them over a precipice, into a narrow valley, and did not lose them through any attack of the enemy. The men of the 43rd had behaved gallantly, so far as the information which had reached this country enabled him to judge. The hon. Member for Windsor said that there were not European officers enough with the regiments, and blamed the reduction of the numbers attached to the old regular regiments; but he must remember that the number of European officers with the old irregular regiments was only three, and many of the most gallant actions ever fought in India had been fought by regiments so organized. An alteration had been lately made, by which six European officers were appointed instead of three.

Mr. VANSITTART: What he said was, that we had regular Native regiments and irregulars, and we had reduced the officers from twenty-four to six.

Sir CHARLES WOOD: That was perfectly true; but it was equally true that many of the best actions in India had been fought by those regiments in which there were only three European officers. At the present moment there was no resistance on the greater part of the territory which we occupied, and the troops still maintained the position which they had occupied. He hoped by the next mail to receive more accurate information of what had occurred upon the subject. It was not quite fair to condemn the officers and men upon the scanty information which had been received. No official report had been forwarded. He thought the account which came to this country of great disasters was entirely unfounded, and he had received no information which would lead him to suppose that any great loss had been sustained.

HOLYHEAD HARBOUR.—QUESTION.

Colonel DUNNE said, he rose to ask the President of the Board of Trade, When the repairs to the Landing Pier at Holyhead will be finished, whether the works recommended by the Committee will be carried out, and if not finished when they will be finished? At present passengers were put to much inconvenience in landing and embarking there.

MR. MILNER GIBSON said, the Committee referred to had not recommended any particular plan. There were two plans considered, and the Members of the Committee were more favourable to one than to the other, but there was no definite recommendation that it should be adopted. He was aware their opinion was that an endeavour should be made to carry out the second plan. That had been done, and he had received a communication from the engineer, and also from the harbour-master at Holyhead, to the effect that the works, so far as the accommodation of steam vessels was concerned, had been completed. A sheltered berth had been provided for the incoming steamer, where the passengers might be landed without delay, and also a berth from which the out-going steamer would take in her passengers and go to sea without difficulty. If the Dublin and Holyhead Steam Packet Company did not avail themselves of these sheltered berths the Government could not help it. Their practice was to take in their passengers and land them at the end of the wooden jetty, but by coming a little further up they would come to the sheltered berth, where there could be very little swell. In accordance with one of the suggestions of the Committee the lighthouse had been moved to the end of the jetty, and a light would very soon be exhibited there. A berth had also been provided for the reserve packet, where she could lie in perfect safety and be available at a moment's notice. He was not aware that there now existed any difficulty in the speedy landing and embarkation of mails. It had been the desire of the Government to carry out to the best of their ability, and under the most competent advice, the recommendations of the Committee so far as they could be gathered from what passed in it. They had expended in doing so nearly all the money voted for that purpose by the House.

MR. LAIRD said, that having been a Member of the Committee, and knowing that the recommendations were of a very moderate character, involving no considerable outlay, he wished to understand distinctly whether those recommendations had been fully carried out?

MR. MILNER GIBSON said, that the Committee did not make any definite recommendations. The works, with the exception of the dredging, were on the point of being completed, and could now be used.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

SUPPLY *considered* in Committee:—NAVY ESTIMATES.

(In the Committee.)

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £1,158,797, be granted to Her Majesty, to defray the Charge of Wages to Artificers, Labourers, and others employed in Her Majesty's Naval Establishments at Home, which will come in course of payment during the year ending on the 31st day of March 1866."

SIR FREDERIC SMITH said, he thought it was not fair to bring on these Estimates at that time of night (a quarter-past eleven), as several of the items would involve considerable discussion, and the money was not wanted. He had no objection to the first two items—for wages at home and abroad—but he appealed to the noble Lord to institute a proper investigation, and have a final settlement of the wages question. From different classes of workmen in the Royal yards there came constant applications for advances. The joiners were greatly dissatisfied at their rate of wages. Several of the workmen were discontented, and with great reason, for the factory men, for example, got an increase of 55 per cent in their wages on transferring their services to private establishments. The ropemakers and others were sent adrift at short notice, and without means of support for themselves and families. He asked the noble Lord to treat them all in a generous spirit. Although he represented a dockyard borough, he would not bring forward the case of the workmen if he did not conscientiously believe that it was based on good grounds.

MR. ANGERSTEIN said, that he had received a letter stating that workmen in the dockyards received half-pay in case of injuries, but that in cases of sickness no allowance was made. The hon. Gentleman the Member for Pontefract (Mr. Childers) had, however, stated that the men received payments during sickness. He had also been informed that the hon. Gentleman's statement regarding the number of superannuated men was not fairly estimated, because the total number of workmen as mentioned by the hon. Gentleman referred only to the establishment at home, while the number of superannuated men included the superannuations on the establishments both at home and abroad. The percentage of superannuations would by this means appear greater than it really was. He hoped the hon. Gentleman would explain those two points. He must say, before he sat down, that he thought that Her Majesty's Government ought to be influenced by the lucid and truthful statement of the hon. Member for Devonport, though in one point he believed the hon. Gentleman had erred, for he could not credit his statement that the Government was indebted to the artificers to the extent of £400,000 a year.

MR. LAIRD said, he did not believe that the *employés* in the dockyards were so badly treated as some hon. Members appeared to think. The wagest at present in Liverpool and Birkenhead were 7*s.* a day, and on the Clyde 6*s.* a day, but the average wages in Liverpool and Birkenhead did not amount to more than 24*s.* or 25*s.* a week, because a large portion of the men had not regular employment. That the men in the Government dockyards were pretty well paid was proved from the fact that some time since constant employment for twelve months certain was offered at Birkenhead at the rate of 36*s.* a week, and that, though the wages at the Government dockyards were said to be only 27*s.* a week, not one man applied for employment from the Government dockyards. The men, too, in the Government establishments were in a much better position, because they generally worked under cover and lost no time from wet weather—an evil to which the men in the private yards were constantly subject. At present the wages on the Clyde and in Liverpool were higher than they had been before, but there was every prospect that they would be reduced. He thought the constant agitation of this matter tended to do great harm in the dockyards.

MR. AYRTON said, when he regarded the extravagant expenditure of the Government, he was perfectly shocked to hear hon. Members endeavouring to increase the Estimate by raising imaginary grievances for the benefit of their constituents. He believed that the duty of a representative was rather to watch the Estimates for the purpose of reducing them, and thus economizing the expenditure of public money; but no sooner was the subject of dockyards mentioned in the House than some representative of the dockyards or the dockyard boroughs would stand up and maintain that some one or other ought to be paid more than he at present received. This system would almost induce the opinion that either the Government ought to possess no dockyards at all, or the dockyard boroughs ought to have no representative.

MR. ALDERMAN SALOMONS said, he must disclaim being influenced by the considerations referred to by the hon. Member for the Tower Hamlets (Mr. Ayrton), because his constituents would be glad to see the Government dockyard in their borough abandoned, and that fine part of the river on which it was situated occupied by private firms. In answer, however, to the argument employed by the hon. Gentleman the Member for Birkenhead (Mr. Laird), he might say that mere fluctuation in wages would not be sufficient to attract men from the Government dockyards, because when a man became established he would, by leaving the yard, forfeit all claim to superannuation. He believed the system of measurement employed in the Government dockyards was defective, and was a great cause of discontent, because it often happened by the men working in gangs that the worst workman received the best pay at the end of the week. They did not know at the end of the week how much they had earned. He must say that he believed himself bound to represent to the House the grievances of his constituents whenever they were brought under his notice.

SIR JAMES ELPHINSTONE said, the whole tenor of the debate showed how much an authoritative inquiry would conduce to the comforts of the dockyard Members. They would then be able to say to those who came to them with grievances that they were unjustifiable; or, on the contrary, that those grievances were worthy (as he believed most of them were) the immediate attention of the House. He had complaints, and appeared for the engineers, the Royal Naval engineers, the smiths, the storekeepers, the workmen in steam factories, and the artificers generally; and if the Government would grant them a Committee to inquire into their grievances it would be found that most of them had a substantial footing, though he could not but admit that some of them were brought before the House without sufficient cause. He hoped the attention of the Duke of Somerset and of the noble Lord opposite would be given to the subject, as all that the men desired was inquiry.

Mr. LOCKE asked if there was any law which obliged these men to enter the dockyards. If there was, then there ought to be inquiry, but if there was not, as the dockyards of the whole country were open to them, he did not see they ought to complain. He believed that they went to the dockyards for the simple reason that they liked it, and if they did not find the work there to suit them they could leave it. It appeared to him that hon. Members for the dockyard towns had been speaking not to the House but with an eye to a general election.

Mr. WYKEHAM MARTIN said, he was glad to find that no metropolitan Member ever dreamt of a job for the benefit of his constituents. There were large sums annually voted for the maintenance of public parks and institutions in the metropolis, and he recollected that an hon. Member, not far from him, had once proposed that the whole expense of the sewage of the metropolis should be thrown on the nation. The hon. Member for Birkenhead (Mr. Laird) had, in his remarks, only noticed one class of workmen, and forgot those who were tempted to enter the dockyards when wages were high, and who were discharged in quiet, peaceful times. He could not see why, because the representatives of dockyard towns asked that justice should be done to infirm and injured public servants, they should be accused of personal motives.

Mr. CHILDERS said, he thought he might safely leave the question in the hands of hon. Members who did not represent dockyard towns, but perhaps it would be only proper that he should notice some of the specific complaints that had been urged. The hon. and gallant Member for Chatham (Sir Frederic Smith) had expressed a hope that no hardship would be inflicted upon the officers whose offices had been recently abolished—the spinners and the measurers. It was true that the spirit of progress had pressed hardly upon individuals, and a good many spinners and measurers had been discharged, whose work was now efficiently done at a saving of several thousands a year to the public. But great care had been taken to do as little harm as possible to any individuals. With regard to the spinners, a great majority of them have been able to get employment in other branches of the service, and only a small proportion of them had elected to leave the dockyards. Every consideration had been shown towards those persons which was consistent with a due regard for the public interest, and no one could be more anxious to do justice to all parties than was the noble Duke at the head of the Admiralty. With regard to the other class of persons who had been affected by recent changes, those who were not fit for other works were superannuated; but as to the remainder, they were being gradually absorbed into the other departments, and until that absorption took place, which he believed would be in a few months, they were allowed to retain their salaries. The hon. Member for Greenwich (Mr. Angerstein) had referred to a remark which he (Mr. Childers) had been supposed to have made on a former evening respecting the advantages enjoyed by dockyard men when they were sick. It was a mistake to suppose that he had alluded to that subject, but he would just acquaint the House with the regulations in force for the sick and hurt workmen in the dockyards. Any man who was hurt in the execution of his duty was allowed half-pay until his return to work, but a man absent on account of sickness has no allowance. When any workman had been absent from sickness for a period of six months a special report was required, and the surgeons were directed not to allow men to remain absent for a longer period than was actually necessary. During the process of recovering strength a man was put to easy work, and when a man became ruptured in the course of his duty, upon the recommendation of the surgeon he was provided with a truss. If those regulations were fairly carried out, and he believed that they were carried out in the most kindly spirit by the surgeons of the various yards, he did not know what possible improvement could be introduced. The hon. Gentleman also spoke of his comparing the 9,600 men on the establishment receiving pay with the 3,000 men who were in the receipt of superannuation allowances. In fact, he believed he had rather understated the latter figures, as he now learnt that the total number of men in receipt of such allowances was 3,100, or rather more than 30 per cent of the establishment. The other hon. Member for Greenwich (Mr. Alderman Salomons) complained that the men in the dockyards did not know what they earned, but as all men were now paid by day wages, there could be no difficulty on that account. Then came the hon. and gallant Gentleman the

Member for Portsmouth (Sir James Elphinstone) who approached the subject with courage, not to say with rashness, and he brought a whole budget of complaints from all branches of officers in the dockyard service. If the hon. and gallant Member thought it to be his duty, as the representative of a dockyard borough to say that everybody had a grievance, he (Mr. Childers) would be content to leave it to the knowledge and discretion of the House to decide how much weight should be attached to such evidence. Once a year the Admiralty gave every possible facility for the rectification of grievances. They went to the dockyards, they investigated complaints on the spot, and the representations of the men were thoroughly looked into. He trusted that the Government would be allowed to take this Vote, and that the House would hear no more during the present Session of the insufficient pay of persons employed in the Royal Dockyards.

Mr. SEELY said, he rose to move a reduction of £10,777 in the Vote, on the ground that the charge for the police was more than sufficient. The amount for the police this year was £38,295, which was appropriated in two parts—one for watching and guarding the navy yards, and the other for watching and guarding the victualling, medical, and transport establishments. He was unable to state the exact appropriation for the present year, because no explanation was given; but he would recommend that in future years the appropriation would be explained. He might assume, however, that the appropriation this year would be the same as for 1863-4, when it was £19,364 for the naval yards, as given at page 5, No. 514 "Navy Ships'" account for 1863-4 leaving £18,931 for the victualling, &c., establishments. He had made some inquiries as to the expense which private yards were put to for watching and guarding. He found that at Millwall twelve watchmen were employed at a charge of £748 a year; at the Thames Iron Works ten watchmen were employed at a charge of £696, and taking a third private firm he found that altogether twenty-six watchmen were employed at a cost of £1,652. Calculating the number of workmen employed at these private yards the charge per head per annum was 2*s.* 6*d.* a man for watching and guarding. The Government, on the other hand, paid £19,364 for watching 16,964 men, or at the rate of 23*s.* 2*d.* per man for guarding their naval yards; but this was economy itself compared with the charge for watching and guarding the victualling and medical establishments, which amounted to not less than £18,931 for watching 714 persons, being £26 6*s.* per head for the number of persons employed in these establishments. Yet they were mostly matrons, nurses, cooks, barbers, &c. The reason why he proposed this special reduction was, that in 1863-4 the Government only required the sum of £8,141 for watching and guarding these victualling and medical establishments, which was amply sufficient for all practical purposes. These police charges were not incurred in guarding from without, but from within. He believed that the course pursued was such as to damage the character and lower the moral tone of the workmen. In 1859 there was a Committee on Dockyard Economy, and Lieutenant Wise, a dockyard superintendent of the police, was examined before it. He stated that on the workmen leaving the yard of which he was police superintendent they passed between six policemen and an inspector, that about every fifth man was "rubbed down," as it was called, to see if he had any stolen property about him, and that on the average every man was searched twice a week. He would appeal to the Government to take into their consideration the expediency of doing away with what they must admit was a most degrading practice. It might be urged that it was necessary; but that was a plea which was always set up in favour of an abuse, as in the case of the free use of the lash in the army and the press-gang to man the navy. It was a degrading practice, and he ascribed its continuance to the want of competent heads of departments. In private firms, where the relations of master and servants were on a better footing, these heartburnings did not exist. He moved the reduction of the Vote by the sum of £10,777.

Mr. CHILDERS said, that the introduction of the metropolitan police into the dockyards was a measure which had been decided upon by the Legislature, and which had been productive of great advantage. He had a Return which showed that whereas in 1859, under the loose system then in operation, only sixty-five persons had been apprehended for theft and other offences, 645 offenders had been arrested the very first year the new system came into operation. That was tolerable proof that the introduction of the police into the dockyards was not a mistake. Since then the number of offences had diminished. His hon. Friend had exaggerated the case as to the number of police engaged in guarding the hospitals and elsewhere; £30,366 went for the wages of the police engaged in watching the dockyards, while the charge for watching the victualling department was £4,234, and that for the medical department £2,653. The amount he could not think was excessive when the work to be done was taken into account.

In reply to Mr. Alderman SALOMONS,

LORD CLARENCE PAGET said, that the introduction of the metropolitan police had considerably lessened the number of offences and of marine-store shop dealings in the dockyards.

SIR JAMES ELPHINSTONE said, that he wished to vindicate the heads of dockyard departments from the taunts of the hon. Member for Lincoln (Mr. Seely). There were no less than sixteen post captains employed in superintending private yards, showing that their services in this respect were well appreciated in the country.

MR. LAIRD said, he thought £38,000 was a very large sum to be expended on watching and guarding our dockyards. There was a great disparity in this respect between public and private yards. He did not complain of the introduction of the metropolitan police into the dockyards, but he did complain that so large a sum as £38,000 should be expended in maintaining a police force to watch 16,000 to 17,000 men. He also thought it was great degradation for a respectable workman to be searched on leaving the dockyard, though he was ready to admit that a different system of police was required in public from that employed in private establishments. If anything would justify the high wages which were paid in the Royal dockyards, it was the degradation to which respectable workmen were exposed by being searched. The figures quoted by the hon. Member for Lincoln (Mr. Seely) were perfectly correct.

MR. C. P. BERKELEY said, that the police had not only to protect the property in our dockyards, but also to visit every ship lying in the docks and to guard against fires.

MR. SEELY said, that the statements which he had made as to the relative costs of watching in the Government and private yards were accurate.

Whereupon Motion made, and Question

"That a sum, not exceeding £1,148,020, be granted to Her Majesty, to defray the Charge of Wages to Artificers, Labourers, and others employed in Her Majesty's Naval Establishments at Home, which will come in course of payment during the year ending on the 31st day of March 1866,"—(*Mr. Seely*,)

—put, and *negatived.*

Original Question put, and *agreed to.*

(2.) £72,585, Wages to Artificers Abroad.

SIR JAMES ELPHINSTONE moved that the Chairman report Progress.

MR. CHILDERS said, the Government would not object to postpone Votes 10 and 11, and to the others he believed there was no objection.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir James Elphinstone.*)

The Committee *divided:* — Ayes 17; Noes 42: Majority 25.

Votes 10 and 11 were *postponed.*

(3.) £64,800, Medicines and Medical Stores.

(4.) £103,925, Naval Miscellaneous Services.

SIR JOHN HAY said, he thought that the contribution to sailors' homes should be increased, so as to aid in providing better lodgings for sailors in the principal commercial ports. He found that the Government gave only the trifling sum of £425 as a contribution to sailors' homes, and it appeared to him that they might with great advantage advance a larger sum for so admirable a purpose.

LORD CLARENCE PAGET said, that the Government had received no complaints that the sailors' homes in the dockyard ports were not in good circumstances, or that their managers were dissatisfied with the contributions of the Admiralty towards their support. The question whether the Government should assist in the maintenance of similar institutions in all the commercial ports—for the Government could not make a distinction—was a very wide one, which would require much consideration. He was afraid that the immediate effect of their interfering with these charitable institutions would be to lead many persons to withdraw their subscriptions and devote them to objects which received no assistance from the Government.

Sir JAMES ELPHINSTONE said, he could assure the noble Lord that sailors' homes might be extended with great advantage, and complained that the Admiralty made no provision for the education of the children of those who were employed in the dockyards.

Mr. CHILDERS said, that the sum of £2,000 which was for contributions to religious and charitable institutions exceeded the Estimate of last year by £625; and this excess was mainly caused by provision for the very object which the hon. Baronet desired to see accomplished. The Director of Education had been instructed to visit all the schools in the dockyard towns, and he had prepared a full and complete scheme under which it was intended in the future to make contributions to their support.

Mr. KINNAIRD said, that provision for the safety and comfort of sailors when they came ashore was not a work of charity; it was a plain duty of the Admiralty.

Sir JAMES ELPHINSTONE said, he wished to inquire what was the amount of stamp duty paid by officers of the navy for their commissions.

Lord CLARENCE PAGET said, that the stamp was fixed by law at 5*s*.

Vote *agreed to.*

In moving that the Chairman should report Progress,

Lord CLARENCE PAGET said, that he intended to go on with the Navy Estimates after the Army Estimates on Monday, the 24th instant.

Sir JAMES ELPHINSTONE said, he thought that that was too early a day.

Mr. CHILDERS said, that Vote 11 would not be taken on the 24th.

House *resumed.*

Resolutions to be reported on *Monday* 24th April; Committee to sit again on *Monday* 24th April.

TENURE AND IMPROVEMENT OF LAND (IRELAND) ACT.—COMMITTEE.

Motion made, and Question proposed, "That the Select Committee on the Tenure and Improvement of Land (Ireland) Act do consist of Seventeen Members."

Mr. HENNESSY moved an Amendment that the Select Committee on Tenure and Improvement of Land (Ireland) be increased from seventeen to twenty-one Members, and that Lord Robert Cecil be a Member of the Committee.

Mr. SPEAKER said, it was out of order to move an addition to the Committee without due notice.

Mr. COX moved the adjournment of the Question.

Mr. MAGUIRE said, he had no objection to postpone the nomination of the Committee to the first Thursday after the Easter recess.

Debate *adjourned* till *Thursday,* 27th April.

WATERWORKS BILL.

On Motion of Mr. Milner Gibson, Bill to amend the Law relating to Waterworks, *ordered* to be brought in by Mr. Milner Gibson and Mr. Baring.

MASTER AND SERVANT BILL.

Select Committee *appointed,* "to inquire into the state of the Law as regards Contracts of Service between Master and Servant, and as to the expediency of amending the same."—(*Mr. Cobbett.*)

And, on *Friday,* May 19, Committee *nominated* as follows:—Lord Elcho, Mr. Cobbett, Mr. Solicitor General, Sir James Fergusson, Mr. Dalglish, Mr. Gathorne Hardy, Mr. Edmund Potter, Lord Stanley, Mr. William Edward Forster, Mr. Hennessy, Mr. Roebuck, Mr. Lowe, Mr. Jackson, Mr. Algernon Egerton, Mr. Alderman Salomons, Mr. Clive, and Mr. Cox: Power to send for persons, papers, and records:—Five to be the quorum.

LOCAL GOVERNMENT SUPPLEMENTAL (No. 2) BILL.

On Motion of Mr. Baring, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Derby, Ramsgate, Oswestry, Bury, Heap, Cockermouth, Matlock Bath, and Bromsgrove, *ordered* to be brought in by Mr. Baring and Sir George Grey.

Bill *presented,* and read 1°. [Bill 108.]

POLICE SUPERANNUATION BILL.

On Motion of Mr. Baring, Bill to amend the Law Relating to Police Superannuation Funds in Counties and Boroughs, *ordered* to be brought in by Mr. Baring and Sir George Grey.

Bill *presented,* and read 1°. [Bill 109.]

LAND DRAINAGE SUPPLEMENTAL BILL.

On Motion of Mr. Baring, Bill to confirm a Provisional Order under "The Land Drainage Act, 1861," *ordered* to be brought in by Mr. Baring and Sir George Grey.

Bill *presented,* and read 1°. [Bill 110.]

LANCASTER COURT OF CHANCERY.

On Motion of Mr. Attorney General, Bill to extend to the Court of Chancery of the county palatine of Lancaster certain of the provisions of an Act passed in the Session holden in the twenty-third and twenty-fourth years of Her present Majesty, intituled "An Act to give to the Trustees, Mortgagees, and others certain powers now commonly inserted in Settlements, Mortgages, and Wills," *ordered* to be brought in by Mr. ATTORNEY GENERAL and Mr. SECRETARY CARDWELL.

Bill *presented*, and read 1°. [Bill 106.]

OXFORD UNIVERSITY (VINERIAN FOUNDATION) BILL.

On Motion of Mr. ATTORNEY GENERAL, Bill to empower the University of Oxford to make Statutes as to the Vinerian Foundation in that University, *ordered* to be brought in by Mr. ATTORNEY GENERAL, Mr. CHANCELLOR of the EXCHEQUER, and Mr. NEATE.

Bill *presented*, and read 1°. [Bill 107.]

House adjourned at One o'clock,
till Monday, 24th April.

HOUSE OF COMMONS,

Monday, April 24, 1865.

MINUTES.]—NEW MEMBERS SWORN—For Salop (Southern Division), Honourable Percy Egerton Herbert; Clackmannan and Kinross, William Patrick Adam, esquire; Rochdale, Thomas Bayley Potter, esquire; Wigton, &c., Burghs, George Young, esquire.

SUPPLY — *considered in Committee* — ARMY AND NAVY ESTIMATES.

Resolutions [April 7] *reported.*

PUBLIC BILLS — *First Reading* — Waterworks* [112].

Second Reading—Lancaster Court of Chancery* [106]; Local Governmental Supplemental (No. 2)* [108]; Police Superannuation* [95]; Land Drainage Supplemental* [110].

Committee—Land Debentures (*re-comm.*)* [79]—R.P.

Third Reading—Metropolitan Houseless Poor* [83]; India Office (Site and Approaches)* [100].

BRITISH PRISONERS IN ABYSSINIA. QUESTION.

MR. WARNER said, he would beg to put a Question to the Under Secretary of State for Foreign Affairs in reference to British prisoners in Abyssinia. He wished to know, What is the present state of the negotiations with respect to the British captives in Abyssinia, whether the Government have reason to expect a successful issue to the mission of M. Rassam, and what steps they are prepared to take in the event of their not receiving good accounts from him?

MR. LAYARD replied, that he was afraid that he could not give the hon. Member much information on the subject, not that he wished to conceal anything, but that he considered it would be very unadvisable, considering the position of the prisoners, that anything should be said that might lead to greater complications. He would take this opportunity, therefore, of deprecating any mention in the press of what took place in that House or elsewhere with regard to those prisoners, as he had reason to believe that all these things were sent out to Abyssinia and got much exaggerated, and might lead to serious consequences to the prisoners who were held by the King. Every means had been taken by Her Majesty's Government to obtain their release. The Government were in communication with some of the authorities; they had lately heard from a good source that Captain Cameron and the missionaries, although in prison, were in good health; and letters received from M. Rassam within a few hours held out the hope that ere long the prisoners would obtain their release.

THE BANKRUPTCY ACT, 1861, QUESTION.

MR. MURRAY said, he wished to ask Mr. Attorney General, Whether it is intended to introduce in this Session any Bill to carry out the Resolutions reported to the House by the Select Committee appointed to inquire into the working of the Bankruptcy Act, 1861?

THE ATTORNEY GENERAL said, in reply, that considering the magnitude and importance of the subject, he did not think it possible to give any engagement on the part of the Government that a Bill would be introduced during the present Session. All he would undertake to say was that the recommendations of the Committee would, without any loss of time, receive the best consideration of the Government, with the view to introduce as speedily as possible such a measure as it should seem to them expedient to adopt.

MORTALITY AMONG CHILDREN IN NORFOLK.—QUESTION.

MR. BENTINCK said, he wished to ask a Question of the Secretary of State for the Home Department of which he had given him private notice, Whether any answer has been received from the Chief Constable of the county of Norfolk to the communication which had been addressed to him by the right hon. Baronet as to the accuracy of the statement of the alleged mortality among children in the parish of Emneth, in the county of Norfolk?

Sir GEORGE GREY said, in reply, that a detailed statement having been made on the authority of the coroner for Lynn with reference to the alleged mortality among children in the parish of Emneth, he had referred it to the chief constable of the county in order that inquiry might be made; and he had received from him the day before the House adjourned a full Report, which showed that the statement of the coroner was very grossly exaggerated. That statement having attained extensive circulation by being made in that House, he thought it would only be right that the Report of the chief constable should be laid on the table; and if the hon. Gentleman (Mr. Bentinck) moved for it, the Report would be produced and printed. He might add that with the Report from the Chief Constable of the county he would produce a letter from the clergyman giving a statement of the circumstances of the parish.

PENSIONS TO EX-COLONIAL GOVERNORS.—QUESTION.

In answer to Mr. Baillie Cochrane,

Mr. CARDWELL said, he would take an early opportunity of laying on the table the terms on which it was proposed to grant pensions to ex-Colonial Governors.

INDIA—PEGU PRIZE MONEY.

EXPLANATION.

Sir CHARLES WOOD said, he wished to correct a statement he had made jus-before the holidays, in answer to a Question by the hon. and gallant Gentleman opposite (Mr. H. Cole), with reference to the Rolls of Pegu Prize Money. He had stated that the whole of the Prize Rolls had been sent to Chelsea Hospital, whereas only a portion of them had been sent. Orders had been sent to India to have the remainder sent as soon as possible.

SUPPLY—ARMY ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

(1.) £212,800, Administration of the Army.

General PEEL said: There cannot be any question of much greater importance than the organization of the War Office—that Department on the working of which the efficiency of all the military establishments depends; and I think the noble Lord the Under Secretary for War will now acknowledge the propriety of having postponed this Vote until the Members of the House should have had the opportunity of considering the Report which he has placed on the table. The noble Lord himself also has now had the opportunity of better understanding the feeling with which the proposals have been received by the War Office. The noble Lord said the proposals were received with universal satisfaction throughout the Office, but he has since, I believe, been requested in a somewhat irregular manner—by means of a round-robin, to withdraw the statement he then made. In fact, that Report was received with the greatest possible alarm by the War Department. The first thing which strikes one on the subject is the absence of any information as to the cause which created the necessity for the appointment of the Committee. We have not been favoured with the instructions to the Committee, nor with a copy of Sir Edward Lugard's letter to the Treasury, although a paragraph of it is given which renders it difficult to understand whether the Committee was appointed in consequence of any defects in the working of the Office or from a laudable desire to promote economical reductions in the establishment. One almost supposes that there must have been something vicious in the working of the office from one paragraph in the Report. The Report states that the present system does not enable the Secretary of State to regulate promotions according to the actual requirements of the service. But that is contradicted by Sir Edward Lugard, who was not only a member of the Committee, but also a permanent Under Secretary of State knowing the working of the Office better than any of the members of the Committee. The difference between the Committee and Sir Edward Lugard is, whether selection for promotion should be merely from the branches or be extended over the whole Department, and that is a most important question, which ought to be considered not with reference to the interests of individuals alone, but with a view to the benefit of the service generally. I agree with Sir Edward Lugard that with the exception of the duties of the heads of branches and some of the seniors, there is nothing which a clerk of intelligence and ability could not in a short time acquire, and that it would be an advantage if gentlemen were acquainted with the duties of the Office generally, and not merely with the routine of the particular branch to which they may belong. I would have the promotion general over the whole Office—one advantage of which would be that it would operate as a general stimulus in all the branches. I think, also, it would be less galling to be passed over by a gentleman in another branch than by one in the same room. Indeed, if the system of promotion in the branches were continued, the effect would be little short of making promotion a mere question of seniority, because those who have the promotions in their hands would not like to pass over a gentleman except in a case of such inability as would make it improper that he should remain in the department at all. However a system of promotion in the branches may be applicable to the War Office after several years from the time of its formation, I hold that such a system would have been perfectly impossible at first. The War Department was originally composed of gentlemen from the Colonial Office, the Secretary at War's Office, and the Ordnance Department, and it would have been perfectly impossible to classify the business in the several branches, so as to give to each gentleman the duties which he was best fitted to perform. Another objection to the division proposed in this Report is that it would soon have the effect of defeating the object in view when the War Departments were consolidated—namely, that of having all under one head. I know that some persons would rather see the ordnance and other branches separate departments, but I am not one of those. I think that Lord Dalhousie's plan of having all the branches which at present constitute the War Department under one head, who is responsible for the working of the whole, is a good one, although my experience at the War Office showed me that a great deal remained to be done in order to give effect to that system. Much difficulty in this respect has resulted from the changes of Secretaries of State, of whom there have been five in ten years. The Parliamentary Under Secretaries have also been changed, there having been six or seven within the same period, and there have even been changes in the permanent Under Secretaries, those who do not go out with the Government. When I was in the War Office, Sir Benamin Hawes, Mr. Godley, and Sir Henry Storks held office in that Department, and I think it would have been impossible to find three men of greater ability, and I had the great advantage of their assistance whenever I required it. Unfortunately, two of those gentlemen, Sir Benjamin Hawes and Mr. Godley, have since been removed by death, and Sir Henry Storks, from his superior merits, has been promoted to the performance of higher duties. I do not say that those who succeeded them are inferior to those gentlemen; but I think it unfortunate that changes in the permanent staff should take place before the system is established. It is impossible to get the system into proper working order if those engaged in carrying it out are perpetually being changed. A great advantage possessed by the War Department over the Admiralty is that those who carry on the duties of the Office do not change with the Government; I found no difficulty to arise from having Under Secretaries of different politics to those professed by myself, or had any reason to know what their politics were. We had all I trust but one object which was to make the Department as efficient as possible. As to any self-constituted committee directing the Secretary of State in respect to the way in which the business of the Office should be performed, that is a thing which I should not suffer were I at the head of the Department. I must observe that, so far from finding any want of zeal and ability on the part of the officers, every paper which came to me was covered with minutes; and so much ability was shown that it was often very difficult to decide which of their several opinions was the best. As I remarked before the Organization Committee, I am of opinion that the Department ought to be worked downwards instead of upwards. I found the best results to follow from the simple arrangement of a weekly meeting between His Royal Highness the Commander-in-Chief and his staff and the Secretary and Under Secretaries of the War Department. At those conferences questions were often settled which otherwise would have led to a protracted correspondence, and the decision on which must have been delayed a long time if the communications on the subject had been confined to writing. My opinion always has been, and still is, that the business should be divided between the Under Secretaries of State, and that everything requiring opinion and decision should be referred to them in the first instance. They would apply to the branches for information if necessary, but if it were a mere matter of routine it would at once be sent to the branches and settled. Finally, of course, everything should be brought under the notice of the Secretary of State. I am sure that mode of doing business would lead to a great saving of time. The division and classification of the business appears to me to be the grand point on which the whole efficient organization of the Department depends. It is pointed out in these Reports that certain portions of the business of the Office would be as well done by mere clerks as by gentlemen who had passed a civil service examination. But a question then arises as to the point at which the line of distinction between duties requiring superior education and the routine duties of a mere clerk should be drawn. The majority of the Committee state, "That it is the nature of the work done, and not the ability of the person who performs it, which ought to command promotion and remuneration;" but that appears to be quite contrary to the principle on which the civil service examinations have been established. I think, however, that it would be a great advantage if in those examinations the questions had more direct reference to the duties to be performed in the particular office. It is a great hardship to a man who knows the business of an office well, and is in every respect qualified for the position, to be passed over by a man less efficient in the office, merely because the latter could do that which the office would never require of him. When I was at the War Office I acted upon the system of having the clerks appointed as temporary clerks in the first instance, and those who met the approbation of the heads of the branches were allowed to compete for the permanent positions. But I know a case in which thirty-three temporary clerks went up to compete for eleven vacancies, and one of the best clerks in the office who passed nearly the highest in everything required by the office was rejected on account of his Latin. It is scarcely reasonable to expect from such a man much zeal when he went back to his old employment. Neither can you expect great zeal from men of superior education when you tell them their business might be as well done by ordinary men. According to your view you ought not to have first-class clerks and second-class clerks, but first-class business and second-class business. But that is not my idea. My idea is that the War Office in time of peace ought to be reduced to the lowest possible strength consistent with the performance of the work, but that it ought to contain in itself —at all events, among the higher classes of its clerks—gentlemen capable of performing any duty of the Office. When I was at the War Office I knew several such gentlemen there. Something beyond the ability to discharge mere routine duties constitutes the value of the civil servant of the State. A man may be able to perform his own ordinary duties, and yet not be the proper person to put at the head of a branch. I think, therefore, that the promotion should be general, and not confined to branches. I think you should look to the Department as a whole, and not regard it as a collection of separate branches. If a sudden emergency should arise which would make it necessary for you to order an army to go abroad all your arrangements must depend on the War Department. You cannot move without the War Department, and unless you can put the whole strength of the Office into one branch, if necessary, all the evils that arose under the old system of separate establishments will return the moment the Department is put to the test. I would impress upon the Government that the question with which we are now dealing ought not to be settled without the most ample information and the fullest consideration, because there is nothing so unpopular in a Department as constant changes and uncertainty as to the means by which promotion is to be obtained. The great fault of the Report presented to the House is that it proposes that promotion should be confined to branches. As regards the interests of those gentlemen who would be affected by the changes proposed, there are many hon. Members who are better acquainted with them than I am. If mere economy be the object of these Reports I do not think that it was worth while to attempt a saving at so great a disadvantage. Nominally, the saving is £10,000, but that Estimate has already been reduced to £7,000, because there are several items not included, and that saving must be still further diminished on account of the retiring superannuations and annuities which will be granted to these gentlemen. I am certain that no system can possibly work well if it be unpopular with those by whom it is to be carried out, and this one is universally unpopular with the clerks who remain in the Office, and will probably lead to utter despair on the part of some of those discarded. No policy can be worse than that which allows a large body of very useful and meritorious men to leave the public service under the impression that they have not received what they were entitled to, and for that reason I hope that the case of the temporary clerks dismissed upon the present occasion will be re-considered, that that of the permanent clerks also will be further inquired into, and that the noble Lord the Under Secretary of State for War will be able to inform the House that full consideration has been given to the change in the system of promotion in the office of the Department before it is carried into effect.

SIR STAFFORD NORTHCOTE said, he thought that those Members of the House who had been able to look at the Reports on the table, must feel that the House was fully justified in requesting that the discussion on the Vote might be postponed until the Reports were before them. As a general rule he was quite willing to acknowledge that it was undesirable that the House of Commons should interfere with the discretion of the Government and of heads of Departments in the administration of the departments under their care. Generally speaking the House of Commons had not sufficient knowledge to deal with these questions; but, in the present instance, there were several points which rendered it important that the House of Commons should take into its consideration the new organization of the War Department, and that some explanations upon the subject should be given. One of the questions which ought to be considered was the economical result of the alterations. He had not yet had time to examine into the question very carefully, but it appeared to him that the apparent saving of £10,000 would be materially reduced, and would probably altogether disappear when the counter-charges, not in the Estimate, were set down. First among these counter-charges were the superannuations. He perceived that something like £6,500 had been awarded to a number of gentlemen since the preparation of the Estimate before the House. Those gentlemen were clerks, some of them of a comparatively advanced age, but for the most part young men. The majority were not much more than forty, some fifty, and some even still younger. He would ask the Government whether this £6,500 represented the whole of the superannuations caused by these changes, because he had heard that even since the drawing up of the Report some other cases had been submitted to the Treasury, and one of these cases was stated to be that of the librarian. The probability, therefore, was that something like £1,000 a year more would be added to the superannuation allowances. Then there was the fact that a great many of the persons to be employed would be officers or soldiers who would, at the same time, be drawing allowances from their regiments. To know the value of these changes, therefore, on the score of economy, the House ought to be informed what expenses would be incurred in this direction. There was another and an important point upon which the House ought to exercise its judgment. One of the Reports related to the Accountant General's Department, and proposed the creation of a new office, to be filled by a gentleman called the Auditor General. The House of Commons ought to view with great jealousy the system of auditing in public departments. The question was a difficult one, and they ought to be certain that the system proposed would best prevent the misappropriation of public money. Of course, the noble Lord the Under Secretary of State for War would understand that he did not refer to the misappropriation of public money by individuals, but to the employment of public money in a different direction from that for which it was voted by Parliament. The House should bear in mind that there were two kinds of auditing. There was the audit of an independent department, which was more independent than that of the office itself; and there was the audit within the department, which had the advantage that it was conducted by men who knew something of the service, and could say whether the expenditure was right or not. He assumed that the creation of the new office—that of the Auditor General—was not intended in any way to weaken the control which the Audit Board exercised over the War Department. If the Chancellor of the Exchequer had been in his place he should have asked the right hon. Gentleman whether with, these contemplated changes within the Department, it was intended to strengthen or in any way to alter the functions of the Audit Board. Perhaps, however, the noble Lord the Under Secretary of State for War would be able to give the House some explanation upon that point. The Accountant General appeared to be the officer mainly instrumental in the preparation of the Estimates, and it was undesirable that the auditing of the Estimates should be separated from the Department where those Estimates were prepared, because it would be much more easily seen whether the expenditure of public money had been in conformity with the purposes for which the money was voted by Parliament. By this means, too, if any misappropriation of public money occurred, owing to a defective preparation of the Estimates, a recurrence of those defects would be the more easily guarded against for the future. He believed, therefore, that it would be inexpedient to separate the auditing from the Department of the Accountant General. He must confess that he was startled the other day by something he had heard in connection with the temporary clerks and their retirement, and he would mention it because he should be glad to hear some explanation upon the subject. It was stated that the retiring gratuities allowed to these gentlemen were not as large as the gratuities awarded on certain other occasions, and especially in the case of certain officers superannuated last year on the change which took place with respect to our establishment in the Ionian Islands. He understood that an application for a certain amount of gratuity was made at the time to the War Department, and that it was stated that the matter ought to go to the Treasury and then that it could not be referred to the Treasury, because the money had been already voted and spent, and therefore they must deal with the matter on their own authority. He thought they ought to take care that there was no department that might feel itself able to ignore any irregularity of that kind. The circumstance of there existing a special audit department in the War Office would have the effect of rendering the Board of Audit somewhat less anxious with regard to the production of the accounts, and if the War Office were subject to that which naturally attached to an executive department — namely, an anxiety to grant favourable terms to its own servants—a danger might arise of a wasteful and improper application of funds, which ought to be checked by a proper system of audit. This was a point upon which the House ought to have some assurance. They ought to be told that this proposed change in the accounts of the departments was not likely to weaken the securities for the proper application of the public money. There was another point upon which he wished to make some observations, and that was with regard to the substitution of branch for office promotion. This was a question which the House ought to consider with extreme jealousy. It might be fairly said that Members of the House of Commons were not the proper judges as to the constitution of an office or the best mode of promoting the clerks, and the House might also be told that this matter had been reported upon by a Committee of eminent public servants, and that members should not be so presumptuous as to criticize the recommendations of that Report. He had, however, served on Committees in former years for the re-organization of a great number of public establishments, and his experience was this—that while the Committees were able to suggest plans which were accepted by the Government, and were to a certain extent acted upon, objections after a year or two were raised on the part of the officers as to the change which had taken place, and this led to subsequent alterations and considerable confusion. Every alteration did harm. He did not mean to say that they might not do good; but the changes unsettled the minds of the civil servants, and induced them to agitate for arrangements more beneficial to themselves. Almost every alteration was sure to be accompanied by a good deal of suffering to officers, and additions of expense which could not be avoided. He could instance several departments—that of the Post Office, for instance—in which changes had been made in consequence of recommendations of Committees. These had been afterwards set aside and large sums of money expended in compensation to persons sustaining injury, and the result had been great confusion in the Department. Clerks had come to him from various offices to state the disadvantages which had accrued to them from the adoption of some plans and the rejection of others. The House ought, therefore, to look very closely into the principles of the Report now before them, especially after the manner in which it had been adopted by the Committee. The Members constituting the Committee were, first, Mr. Anderson and Mr. Arbuthnot, who were connected with the Treasury but had nothing to do with the administration of the War Office, except so far as they had been called on to give their advice, which was proper enough. Then there was the noble Lord the political Under Secretary (the Marquess of Hartington), who had the conduct of the Department, and most ably did he fulfil his duties. There would come a time, however, when another would succeed him who might hold different opinions in this matter. Besides these Members there were Captain Galton and Sir Edward Lugard, two permanent officers of the War Office. Sir Edward Lugard took one view, and the captain took another. The noble Marquess took the side of Captain Galton, and a majority was thereby obtained in favour of the Report. If, at some future day, a new Secretary of State in the Department should be inclined to take the view of Sir Edward Lugard and several other officers of high standing in the Department, the House might be called upon to reverse the decision of the Committee. That decision appeared to him to rest upon an assumption which he regarded as entirely false—that the system of amalgamated office promotion had been tried and failed, and that it ought to be exchanged for a system of branch promotion. The present system of promotion in the office, as he had gathered from the Report, appeared to be one of the most absurd that could be invented. When a vacancy occurred among the first-class clerks, say of the barrack department, a clerk was not promoted in that department to the vacancy, but after inquiry as to who was the best second-class clerk, perhaps in the store department, the authorities gave him the rank of first-class clerk, and kept him still in the same department, while they gave the duties of the vacant first-class clerkship in the barracks to one whom they did not promote, and whose pay they did not increase. It was one of the most wonderful systems that could be conceived. The promotion in work was given to one man, while the promotion of rank was given to another. If this were really the present system, the Committee were certainly right in finding fault with it, and they ought to have proposed that the man most worthy to succeed to the vacant office should receive the appointment, undertake the duties and, draw the pay. If the officer was not fit for the office, however meritorious he might be in other respects, he was not the man to select for promotion. It was by no means to be assumed that the man who had experience in the barrack department must necessarily be the man to succeed to the vacancy. If the offices were managed properly, there were no such technical and exclusive acquirements necessary for the discharge of the duties of one branch as would make it impossible for an intelligent man to perform them if he had been fairly treated from the first and allowed to acquire a general knowledge of the work of the department. It was absurd to suppose that a man of ability would not be fit to be promoted from one branch to another, and nothing could be more advantageous to the office than changes of this sort. There were two different systems under either of which the public offices might be manned. One was the system of mere branch officers, in which case all that was required was to take in young men just able to perform the lowest duties, and confine them to their own branch. The other was to introduce young men of intelligence and give them experience in two or three or more departments, and then promote them according to merit. If the first of these principles was adopted, and they took young men to be brought up as mere machines, they were wrong in taking into the service young men of ability and ambition. The system of competitive examination was unsuited to such a system. But if they adopted the other principle, what could be more reasonable than that when a young man of ability entered the office, and was put forward to serve as a junior in one branch, he should then be removed to another, and thus afford the opportunity of selection from men of varied experience. The result would be that the new blood would be continually coming in, and faults might be discovered in one branch by those who had been accustomed to the duties of another. In that way a more efficient and healthy establishment could be secured than under the system of branch promotion. But there was one condition which ought to be attached to such a system to enable it to work, and that was, the mechanical work should be separated from the other and given to a class of men distinct from the ordinary class of clerks. The proposal to employ non-commissioned officers and soldiers to perform mechanical duties was, he thought, a step in the right direction, as it would have the double advantage of employing persons who could not look for promotion in the department, and of enabling each department to vary its amount of mechanical assistants from time to time, without doing injustice to any one, as the soldiers could be sent back to their military duties, and could not be turned out upon the world as the discharged temporary clerks had been. He was sorry that the Chancellor of the Exchequer had left the House, as he had wished to call the right hon. Gentleman's attention to another subject. Some years ago a Committee was appointed, of which he was a member, to consider the whole question relating to copying and subordinate clerks, and that Committee recommended a scheme which, he believed, would have been found advantageous to the public service. The proposal was to establish a copying office, the clerks employed in which should only look for a moderate amount of remuneration, and from which office the wants of other departments should be supplied. Thus, if the War Office wanted fifty copying clerks, that number would be sent; and if at a future time it was found that only thirty were wanted, then the remaining twenty could be sent back to the Copying Office, where they would be available for the requirements of other departments. He alluded to that proposal because he thought the idea of employing soldiers as copying clerks was a step in the right direction. If a great part of the mechanical duties in the offices could be well performed by soldiers, the junior clerks could be to a considerable extent employed in learning the business of those offices, and in qualifying themselves for promotion. At the same time, he thought very great care should be taken to employ soldiers only for work which they were fit to perform, and he very much doubted the expediency of employing soldiers in any examinations of accounts. He observed that the Director of the Store Department seemed to object to some alterations proposed in his Department, but he did not know whether the objections had any relation to the employment of soldiers. There was one other point upon which he wished to say a few words, although his right hon. and gallant Friend (General Peel) had already referred to the subject. He alluded to the case of the unfortunate temporary clerks who had been discharged. He felt that with respect to gentlemen in that position it was a most delicate matter for the House of Commons to interfere with the discretion of the Government as to their retention or dismissal. When a Department of the Government dealt with a large body of its servants in any way which led these gentlemen to consider themselves aggrieved, there was too great a tendency on the part of such persons to appeal to Members of Parliament to undertake the advocacy of their claims. He had had many such requests made to him, but he had always declined to interfere. In the case of these dismissed temporary clerks, however, he did wish to ask some questions. In the first place, he thought the manner in which they had been dealt with was hardly equitable, because they were now treated as temporary clerks, while of late years they had been dealt with in a manner that led them to believe they were something more. When there was a real temporary pressure, such as occurred during the Crimean war, and when there was reason to believe that such pressure would only last for two or three years, it would be unreasonable to allow the Department to enlarge its staff and to burden the country with a larger number of permanent officers than would ultimately be required. Nothing could be more reasonable than that a Secretary of State should be at liberty to employ temporarily a number of gentlemen, offering them certain salaries during the period of their employment, upon the understanding that their services might be dispensed with upon three months' notice. If the gentlemen to whom he now referred had been so dealt with immediately after the close of the Crimean war they would have had no ground for complaint. It might, indeed, be asked why should these gentlemen now complain, when they had been permitted to do work and to receive pay for nine or ten years, instead of having been discharged after being employed for only two or three years? It must, however, be borne in mind that when the emergency which led to their original employment had passed away and their services were still retained, these gentlemen had reason to believe that they were in a different position to mere temporary clerks. It appeared that it was from among these gentlemen that the clerks on the permanent establishment were usually selected, and of late gentlemen were never appointed to the establishment in the first instance, but were made temporary clerks, from which they might afterwards become permanent officers. That practice seemed to give the temporary clerks a certain status. The Committee on Army Organization, in 1860, took notice of the large number of temporary clerks, and recommended the discontinuance of the system of temporary appointments. Since that time, however, other temporary clerks had been appointed. In 1862 a Minute was passed which appeared to him to have deluded the gentlemen whose case he was considering. It appeared from that Minute that the clerks on the permanent establishment were selected from these so-called temporary clerks, who were divided into two classes for that purpose, and they had, besides, a system of advancing salaries, at the rate, some of £5 and some of £10 per annum, up to a maximum in certain cases of £250. Those gentlemen naturally regarded that arrangement as an indication on the part of the Department to recognize them as a class of officers whose services were to be retained. Of course that arrangement would not give any individual clerk a ground of complaint if he were dismissed for misconduct, nor even if it were deemed proper to reduce the establishment in consequence of a diminution in the amount of work to be done. But when it was proposed to substitute an arrangement that would not be less expensive than that which it was to replace, and which was described by those who recommended it as an experiment, when they were proposed to be superseded in favour of another and a new class, then he thought these gentlemen had some reasons for complaint of the manner in which they had been dealt with. When they contrasted their own treatment with that of other gentlemen upon the establishment they could not think but that they had been hardly dealt with. In the Returns which had been laid before Parliament he found that among the permanent clerks whose services had been dispensed with was a gentleman—Mr. Wilson—a third-class clerk, now aged thirty, who had been ten years in the service, and whose salary at the time of the reduction of the establishment was £190. The pension allotted to that gentleman was £47 10*s.* a year, which represented a larger amount than he would have been entitled to receive under the Superanuation Act if he had retired from ill-health. The gentleman's services had been dispensed with on account of a reduction in the establishment. That gentleman was only thirty years of age now, and would probably have little difficulty in obtaining private employment, or if the Government chose they might again employ him. For his ten years' service he would receive nearly £50 a year for the rest of his life, or, according to probability, a total amount of £2,000. The temporary clerks were men of forty or fifty years of age, who had, many of them, been employed nine, ten, and eleven years, and the whole amount of gratuity to all those gentlemen was £2,000, or about as much as would be paid to the gentlemen who had only served ten years. He did not find fault with the amount awarded to that gentleman, except as an indication that every change induced fresh expense. The temporary clerks, men of forty or fifty years of age, who had served the Department so long, were placed in a difficulty, because at their ages they could not readily obtain employment in private business, and they complained of hardship, because their expectations of permanent retention had been encouraged by the continuance of their employment in the public service after the original pressure upon the Department had passed away. It would be very reasonable that these gentlemen should come forward and ask to be treated with a little more liberality. There were instances, too, of great inequality in the mode in which these gentlemen were dealt with as compared with one another. For instance, one gentleman, Mr. Hodgson, fifty-four years of age, after eleven years of service, only received a retiring allowance of £103, while another gentleman of twenty-five years of age, after a service of one year and four months, had a retiring allowance of £26 5*s.*; that was, for one-tenth of Mr. Hodgson's service he got a quarter of his allowance. Of course, £26 5*s.* would be a great deal more valuable to a gentleman of twenty-five years, who might reasonably hope to obtain other employment, than £103 would be to a gentleman of fifty-four years. He did not mean to say that there had been any favouritism shown, but the principle which had been followed of giving a month's pay in respect of three year's service certainly had worked most unfairly with respect to some of the clerks. Looking to the spirit of the Superannuation Act, the noble Marquess would see that there was as much reason why an additional allowance should be made to these gentlemen as to the permanent clerks. They only received one month's pay in respect of three years service; but if they had been permanent clerks they would have had one month for each year; and an addition on account of being dispensed with for the convenience of the Office. Therefore, considering that they were dispensed with in order to allow an experiment to be carried out which might not be successful, they had a right to complain of the treatment. He wished to ask the noble Marquess whether this system of temporary clerks was to be continued, as there was nothing in the Report which would lead any one to suppose that it was to be abandoned. If so, was it to be continued on the footing of the Minute of 1862; and he should like to hear the noble Marquess's opinion as to the effect which this mode of dealing with these gentlemen would have on the good feeling and right spirit of the Office generally. He wished also to ask the Chancellor of the Exchequer whether he thought it would be possible to take into his consideration a plan which would get rid of all the difficulties attending temporary clerks by establishing a copying office for the use of the whole public service. He made these remarks because he had some experience of these Committees and of the manner in which their recommendations had been set aside after a great deal of disatisfaction and expense, and because he was much dissatisfied with the main principle of these recommendations, and felt convinced that before many years, if they were acted on, there would be a re-action against them and a modification of them. As these changes were said to be made for the sake of inspiriting and invigorating the Department generally, they had a right to enter more minutely than might otherwise have been necessary into the manner in which they were likely to operate on the feelings of the clerks. The Report pointed out that the Office at present was not worked with the energy with which it ought it to be, but he did not believe that this was the way to infuse a right spirit into it. Some arrangement, such as that of a general office of subordinate clerks, from which the higher ranks could be filled by promotion, would, it appeared to him, have the best tendency to promote the zeal and energy of the different departments. He wished, therefore, to ask the noble Marquess whether he did not think that the change in the Accountant General's office would not weaken the check of the Audit Board; whether any measures were likely to be taken to improve the control of the Audit Office over the War Department; and whether he thought the separation of the audit in the War Office from the Accountant General's Department a measure likely to conduce to economy?

SIR HARRY VERNEY said, he thought that the prospect opened out to well conducted soldiers and non-commissioned officers by this scheme would attract a better class of men into the army, and would improve its general standing and morality. He therefore cordially thanked the noble Marquess for the share which he had taken in it.

THE MARQUESS OF HARTINGTON: I will take the opportunity first of referring to a statement made by me on a previous occasion, of which I have been reminded by the right hon. and gallant Gentleman opposite (General Peel), as to the effect produced on the War Office by the publication of this Report. I do not think I used the words quoted by the right hon. Gentleman, that "the Report had been received with entire satisfaction in the War Office." On the contrary, I said there was great excitement in the War Office, more with reference to the result of this debate than the Report of the Committee, and that as far as I knew the Report had been well received in the War Office. I am quite willing now to admit that I have reason to believe that statement was not correct, and that the clerks in the War Office, I am sorry to say, look upon the Report with considerable suspicion, and believe that it will be extremely injurious to their prospects. I should be most willing to correct any mistake I might have made, but the extreme irregularity of the manner in which the incorrectness of the statement referred to was brought under my notice prevents me from saying more on this occasion, and from taking any additional notice of the statements there made. But although I am willing to admit that the feeling of the War Office is contrary to the recommendations of this Committee, still, much as I may regret that circumstance, it does not make any difference to my mind in the soundness of the views expressed in that Report. Criticisms have been passed both in and out of this House on that Report, on the manner in which the questions touched on in it are discussed, and on the manner in which the recommendations it makes are set forth. It is quite possible that if the Report had been intended to be published it would have been expressed in a different manner—that it would have gone into a much fuller explanation of various points. But it must be borne in mind that the Report was not drawn up for the information of the House of Commons or the public, but for the guidance of the Secretary of State, by whom the Committee was appointed, who, of course, was intimately acquainted with the position of the Office and the circumstances which led to the appointment of the Committee. I had no objection to lay the Report on the table; but it never occurred to me, or any Member of the Committee, that the Report was to be published, and it is possible, therefore, that to persons not intimately conversant with the interior arrangement of the War Office it is not so clear as it might have been. The right hon. Gentleman complains that no explanation was given of the reasons for the appointment of this Committee, and that the instructions to it have not been laid on the table. Several reasons induced Lord de Grey to come to the opinion that improvements might be made in the working of the War Office. In the first place, ever since 1856, in spite of all the efforts of successive Secretaries of State, a continual increase had been going on in the number of the clerks in the War Office, and in spite of that increase the work was not performed any more rapidly or regularly. The work frequently fell into arrear, even when there was no extraordinary pressure, and the business was not attended to with the desired promptitude and ability. Besides these general reasons for making certain inquiries into the working of the office, probably it is within the knowledge of a considerable number of hon. Gentlemen that during the course of last year circumstances occurred which more specifically drew attention to its organization. At that time certain irregularities were discovered to have existed in the Office for a considerable time, which showed that in some parts of the Office there was a very serious want of proper supervision. Upon looking at the constitution of the establishment, it appeared that while some of its branches were entirely without the supervision necessary to preserve proper discipline, in others the porportion of superior clerks was so large that their services as supervisors were almost thrown away. These were the principal reasons which led to the appointment of the Committee whose Report is now under discussion. The hon. Baronet (Sir Stafford Northcote) complains that the instructions given to the Committee have not been laid upon the table of the House. But as far as I recollect those instructions were of a very general nature, and allowed the Committee a considerable latitude in the prosecution of their investigations. The principal point in this Report which has been referred to, and the only one on which any difference of opinion was entertained in the Committee itself, is the recommendation that the promotions in the War Office should no longer be divided into two classes, but should be from a much greater number of branches. The principle contained in this recommendation is not by any means a new one. At the re-organization of the War Office, in 1856, the promotions were extended throughout the whole Office indiscriminately, but upon the recommendation of a Committee, which sat later to inquire into the working of the account branch, it was separated from the other departments so far as regards promotion. The opinions we have received upon the subject tend to show that this subdivision of promotion, so far as it has gone, has been productive of very good results. The Committee, whose Report has just been laid upon the table, examined very carefully, not only the heads of the different departments, but also other gentlemen whose opinions were of value upon the subject, as to what would be the probable effect of extending the principle further, and the evidence received was almost unanimously in favour of the course proposed to be adopted. Not only is the principle known already in the War Office, but it is the principle adopted in the Admiralty, and which, so far as the organization of the Office itself is concerned, is found to work well. In fact, in the Admiralty the office was sub-divided for the purpose of promotion into very much smaller divisions than are recommended in this Report. It appears to me, and I think every other person who has taken the trouble to look into the subject will agree with me on the point, that the reasons for the proposed subdivision are very strong indeed. The hon. Member for Stamford

(Sir Stafford Nothcote) admitted that the principle at present regulating promotion at the War Office is one which cannot be defended. It cannot be right that when a vacancy occurs in a particular branch, a gentleman in such branch should be promoted to perform the duties of the higher office so vacated without receiving an increase of pay, while in another branch a gentlemen received an increase of pay without obtaining any promotion in point of rank. This certainly was not the intention of Lord Panmure, when he directed that upon any vacancy occurring in any branch of such a nature as to cause a promotion, the head of the branch in which such vacancy occurred was to recommend to the permanent Under Secretary of State the gentleman whom he thought most fit to fill the vacant office. This is shown by the fact that neither Lord Panmure himself, nor any succeeding Secretary of State for War, has observed this regulation. On this point the Committee say—

> "We do not question the motives by which those who are responsible for the selection of clerks for promotion have been governed. We have no doubt that they have been influenced solely by a desire to carry out the regulations in the manner best calculated to reconcile the claims of individuals with the requirements of the public service; but it appears to us that anomalies of the character to which we have referred are inseparable from a system which attempts to give promotion as the reward of general merit by selection from a wide range of Departments, the duties of which vary in character, and many of which have little in common beyond the circumstance of their being subject to the authority of the Secretary of State for War."

It is because we found it impossible to carry out the regulations of Lord Panmure that we have recommended the system of branch promotion which has already been found to work satisfactorily. The right hon. and gallant Member (General Peel) says he does not attach much weight to the opinions of the heads of the different branches; but, if you are not to take the opinions of those gentlemen, it would be exceedingly difficult to effect any improvement in the Office. Those gentlemen are responsible to the Secretary of State for the manner in which the work of the Office is performed, and they must know better than other persons the system of promotion under which they would be able most efficiently to perform it. It is quite possible that in some cases heads of departments may take up erroneous views upon particular points, but where we find that they concur in their opinions, I think we should give those opinions considerable weight in coming to a decision upon the subject. The reason for the extraordinary system at present in operation being adopted was, no doubt, this:—When a vacancy has occurred in any particular branch in which no one appeared to be deserving of immediate promotion, and when a clerk in another branch did deserve promotion, the head of the Department in which the vacancy occurred might, undoubtedly, have selected a clerk from another branch; but it has been found in practice that the heads of the Departments would rather conduct the business of their office with the men they had before, and even with a reduced staff than bring into it to perform responsible duties a man unacquainted with them, and who, before he was of much service, must go through a sort of apprenticeship. It is all very well to talk of teaching the young clerks the work of all the various branches; but it often takes a great part of a man's official life to enable him to thoroughly master one branch alone. No doubt, something might be done in that direction by making young clerks serve first in one office and then in another, but a thorough knowledge of the duties required cannot be obtained by devoting time to more than one or two branches. It would be quite unreasonable to expect that a man who has been employed for a certain number of years in the medical office should go as a second or third class clerk into the Works Department, where he would have to enter upon duties of a completely different character from that which he has been previously occupied with, and for which his former occupation to a great extent unfits him. Reference has been made to the anticipated economical results from the change recommended; but I must state that the recommendations of the Committee were not made with the view of effecting an immediate saving upon this Vote; our principal object being to increase the efficiency of the Office, and any economy which may result from the changes will be only a secondary consideration. However, an immediate saving will result from the alterations proposed, the amount of which we hope will increase in the course of years, as the heads of Departments, in consequence of the increased efficiency of their respective branches, will be able to dispense with a considerable number of the clerks at present employed in them. In no instance, or hardly in any, have we recommended the reduction of the number of persons employed in any branch, but it is hoped that in several instances it will in the future be found possible to effect such a diminution. When re-organization was still under consideration, and it was therefore impossible to state accurately what would be the cost of the War Office during the present year, we asked for a sum less by £10,000 than that voted last year, and I believe that if the arrangements which we have recommended are carried out the saving which will be effected will exceed that amount. According to a statement, which I am sorry I have not at hand, the saving resulting from the immediate adoption will this year be about £7,000, and in a few years, even with the existing establishment, it will reach £15,000 a year. If the number of clerks employed in several branches are reduced, as it is anticipated will be the case, the saving will, of course, be considerably increased. The hon. Baronet the Member for Stamford (Sir Stafford Northcote) asked me what were our reasons for recommending the subdivision of the Accountant General's branch of the War Office. One of our principal reasons was this:—As the hon. Baronet is probably aware, the irregularities to which I have already referred occurred in the Accountant General's branch. When we looked into its organization we found that that branch was too large to be effectively superintended by a single individual, and it appeared to us that any arrangement by which 240 clerks should no longer be placed under the personal supervision of one gentleman would of itself be an improvement. We also thought that it would be advantageous to separate the duties connected with the keeping of accounts and the preparation of Estimates from those of their examination by the Board of Audit. The Committee had no desire to procure any alteration of the functions of the Board of Audit with reference to the expenditure of the funds voted by Parliament, and, as far as I am aware, the duties of that Board remain exactly as they were. The only division is a division of the duties performed in the Accountant General's branch. The hon. Baronet is, no doubt, aware that a large part of the work of that branch is the examination and checking of accounts. The accounts of the paymaster of every regiment, of the controller of army expenditure, and of every person who is authorized to spend money on the part of the War Department at any station whatever come to the Accountant General's office to be minutely checked and compared with the vouchers. That is very different business from the settlement of claims, or the discussion of questions of the pay and allowances of officers, or from keeping the accounts which have to be presented to Parliament, or preparing the Estimates. It, therefore, seemed to us that the business of this branch naturally separated itself into the two divisions which we have recommended should be established—namely, the Chief Accountant's and the Chief Auditor's branches. Lord De Grey immediately accepted our recommendation, and it would be still more satisfactory to him if the audit duties could be entirely removed from the War Office. It is, no doubt, wrong in principle that the same persons should have the power of allowing a payment, and also that of auditing the accounts, and if any arrangement could be devised by which the audit and examination of accounts should be removed from the War Office, I am sure that no one would be more pleased than should we at the office and the Secretary of State himself. That subject was discussed by the Committee, but it appeared that the same documents which are required for the examination of the accounts are afterwards needed for the preparation of those which have to be presented to Parliament, and that therefore it did not seem possible to place the two descriptions of clerks under different roofs, and it would be impossible entirely to separate the audit from the War Office. Another recommendation of the Committee was that a lower class of clerks should be employed in some branches of the Office. Such a suggestion has frequently been made in this House, and I am sure that every one will agree with me that it is one which may with advantage be carried out, at least to a certain extent. In the first place, the effect upon the Office itself will be good. It will diminish the number of temporary clerks; and, as the number of the third class will be reduced in proportion to the number of the upper classes, it will improve the prospects of promotion of clerks who enter the office in future. It will also be of advantage to the army that soldiers should have a prospect of obtaining one of these appointments on their retirement from the service. Hon. Members will see that the

Committee have not made any very definite recommendation with reference to the employment of this class of clerks, thinking it better that the principle should be left for gradual introduction as opportunities presented themselves. Some heads of Departments are already employing them. The Director of Stores is gradually increasing the number employed in his branch, and other heads of Departments think that they may be employed with advantage, but it is not a change that they are willing to adopt very rapidly. The best and safest way is to employ one or two at first to find out for what sort of work they are fitted, and gradually to extend the number as may be convenient. The Committee will see that we have recommended that in some branches there should be no establishment clerks—as, for instance, the branch of the Director of Works and the Barrack Department. The work of the latter Department will be done entirely by barrack masters and barrack clerks. Barrack clerks, as the Committee are aware, are all of them men who have been in the army, and therefore the experiment will be pretty extensively tried in that branch; and, if it answers there, there can be no reason why it should not be extended to some other Departments. The only other subject to which I need allude is the dismissal of temporary clerks. I cannot admit that anything has ever happened in the War Office which has given these gentlemen any right to suppose that the conditions upon which they entered the Office had been altered. It is quite true that many of them have been retained for a much longer period than they could possibly have anticipated when they entered the Office; but they must always have had distinctly in view the possibility, not to say the probability, of the termination of their service. That this has been so is shown by the fact that temporary clerks have always used the greatest possible exertions to get themselves placed upon the permanent establishment. It certainly is the fact that in many cases temporary clerks have become permanent; but none of those recently dismissed could have anticipated such a result, because they were too old to be admitted to the establishment. I quite admit that the position of those clerks is very much to be regretted, and that the employment of such a class is a practice which it is not desirable to encourage. The reason why so many temporary clerks have been retained up to this time has been that the authorities at the War Office have never since its reorganization been convinced that alterations such as those now recommended might not be necessary; and therefore it has not been thought desirable to increase to the full requirements of the Department the establishment the reduction of which would necessarily be attended with more difficulties than would that of the number of temporary clerks. The hon. Baronet inquires whether it is intended to continue the system of employing temporary clerks. Now, as I have stated already, we hope the effect of the recommendations which we have made will be to enable us to reduce in many cases the number of clerks employed, and it would therefore be unwise to diminish the number of those we have a right to dismiss without burdening the country with pensions. I cannot, I may add, admit that those clerks have been treated harshly, because, not only have the terms been kept with them under which they entered the public service, but they have received a larger amount of gratuity than that to which they were absolutely entitled under the terms on which they entered the Office. I very much regret that they should be thrown on the world without any certain means of subsistence; but it nevertheless appears to me to be perfectly clear that if a man makes a bargain with the State he can have no just cause of complaint if that bargain be kept. If it is not open to the Government to act upon the engagements into which they enter under those circumstances, I cannot see what is the object of making temporary engagements at all. The hon. Baronet says that these men have been dismissed solely for the purpose of trying an experiment; and it certainly is an experiment to this extent, that we propose to try something which is novel; but I do not know to what passage in the Report of the Committee he refers when he speaks in those terms. All their recommendations have been carefully considered, and our intention is that the arrangement to which he alludes shall be a permanent one. There are some other points which have been raised in the course of this discussion to which I have omitted to reply, but I think I have alluded to all the prominent topics which have been mentioned. I very much regret that these recommendations should be looked upon unfavourably in the Office. I believe that the clerks very much miscalculated the effect they are likely to produce. I do not believe the effect of the arrangements in question will be to injure the prospects of the clerks in the War Office, but rather to cause promotion in the Office to be distributed more equally and fairly than has hitherto been the case.

The CHANCELLOR of the EXCHEQUER: I wish to say a few words in reply to one or two questions which have been put by my hon. Friend opposite. My hon. Friend (Sir Stafford Northcote) referring to the Audit Office, asked whether it was proposed that its functions should be extended. Now, as he is aware, a new appointment has been recently made to the chair of that office, and it is the hope and intention of the Government that the jurisdiction of the Board may be extended, and their hands strengthened in the execution of their important duties in the spirit of the recommendations made by the Committee on Public Moneys on the subject. It would be premature to enter into details which are of a highly technical and departmental character. I shall not, therefore, go beyond the general declaration that it is intended to give as much strength as possible to the Audit Office for the performance of its duties, and to make the circle of those duties as wide as possible. My hon. Friend has also asked whether we have any plan in view for the formation of a general copying-office for the purpose of discharging those mechanical duties which are connected with the higher work of the political departments of the State. In replying to that question, I may be allowed to observe that I think my noble Friend has succeeded in showing that no hardship has been inflicted in the particular case which has formed the main subject of this discussion. At the same time I should be disposed to admit that there is unavoidable inconvenience attaching to the system of employing temporary clerks; because if I understand the case which my hon. Friend opposite has sought to make out, it comes to this, that there has been so much anxiety on the part of the War Office to improve the condition of those gentlemen where they could do it, by adopting them into the establishment, and by recognizing claims in some degree outside their position as temporary clerks, that the course now taken is open to objection on the ground that the more kind the authorities were, the more unkind they were, or at least seemed to be. I do not, therefore, hesitate to say that there is great force and justice in the view of my hon. Friend, with regard to the general expediency of establishing a copying-office, in which duties of a mechanical character might be performed. I am not, however, in a position to inform him that we have made any progress towards the execution of that design. No one knows better than my hon. Friend, who has had the greatest experience and has exhibited the greatest zeal in dealing with such questions, what important changes the adoption of a principle of that kind would involve in the present organization of our public departments, and in many privileges and usages which were highly valued, and that it might prove a complete failure in connection with the administration of those departments. It is, in point of fact, only under a very favourable concurrence of circumstances that such a plan could, in my opinion, be carried into effect. In principle I fully and cordially concur with my hon. Friend; in practice I shall be always ready to promote his view to the utmost of my power; but I am unable at present to see any combination of circumstances so favourable as would warrant the Government in stating that they could hold out any prospect of being able to accomplish this result

Colonel DUNNE said, he could not clearly understand from the speech of the noble Marquess what it was the Government actually proposed to do, whether they intended to follow the rule laid down by Lord Panmure or not, which rule was to receive recommendations from the heads of each branch of the War Department whenever a vacancy causing promotion occurred, and promote according to merit, but this rule had not been followed even by Lord Panmure himself. A Report of a Committee which had sat on the organization of the War Office had been laid on the table of the House, and the majority had recommended that promotion, as a rule, should go in the separate branches of the Department, but the Commissioners did not agree, and Sir Edward Lugard protested against it. No doubt in the smaller branches there would be some hardship to clerks in it from the lesser chances of promotion, but in the larger this objection would not affect them, and in fact promotion was now separate in the Medical branch, in the Accountant General's branch, and he believed in the Fortification branch. A clerk who was acquainted with the business of his own branch might be quite ignorant of the one to which he was promoted, and as they were at present promoted indifferently the War Department authorities made the promotion, but kept the clerk in his own branch. Thus they had secured several higher class clerks in one department while another was conducted by subordinate officers. This was absurd. Some rule of promotion should be observed, and even were the rule of branch promotion adopted they could retain the power of promoting extraorninary merit and qualification. But the Secretaries of State had often made appointments with singular indifference to the claims of the best candidates. As to the consolidation of the War Office regulations, we had often pressed it on the War Department, but he thought that could be better done by a board of officers than by a person whose experience could furnish him with no qualification for the office. There were several important recommendations on which the noble Lord had not touched. A considerable check upon the expenditure in colonial stations formerly existed in the fact that it was under the control of what were called respective officers, they were the chief ordnance officers on the station, to whom the accounts were submitted previous to their being forwarded to the Government. Their Report as to the expediency of any proposed outlay formed a considerable check on extravagance. A very large number of cash transactions had lately been transferred to the Commissariat, and the Report stated that though the department might be able to perform the duty in time of peace, in time of war it would be impossible that the Commissariat could continue to conduct those transactions which were perfectly inconsistent with their proper duties. The noble Lord had not alluded to this branch of the subject. He hoped, also, he would be able to state what the intentions of the Government were as to Paymasters. Paymasters formerly were elected from officers who had seen service, but recently these positions had been conferred very often upon civilians. He hoped the noble Lord would be able to assure the House that in future paymasterships would be given only to military men, to whom they ought properly to belong. The revision of the different orders and regulations of the army as to finance and discipline was, as he had stated, most desirable. There was now a mass of orders from the time, he believed, of Anne, which had become a confused mass which few could understand. It was known that one order cancelled the other, or part of another, then another re-enacted it, and nothing was more difficult for an officer to know than the rules by which his duty was to be carried on, but to revise these orders into a code required great knowledge and experience. They referred to every possible requirement of an army, as to material and discipline, as to duties on land and on board ship, embarkation of troops, promotion, and every conceivable position of cavalry, infantry, and artillery. One officer, however experienced, would shrink from such a task, and it should have been intrusted to a board from each branch, assisted by an experienced Paymaster and army agent, but this task was committed not even to a soldier but to a civilian, the successful author of a novel. He might be a very respectable gentleman, but clearly the appointment was not made for the benefit of the public service. This attempt at revision or codification of the orders for the army as now made was laughed at by the officers, because it was intrusted to a person who was totally unfit for such a task. He did not know exactly by whom the affairs of the militia were administered, but evidently they were not in good hands, for the militia regiment which he had the honour to command remained unprovided with bedding, money, and a great many other requisites many days after the time appointed by the regulations had elapsed. He thought there ought to be some definite rule with regard to the retirement of barrack masters, who at present were generally appointed late in life, and having no allowance to retire upon remained in the public service till they were much too old for the proper performance of the duties of that office. No rule of retirement, civil or military, applied to these officers, many of whom were distinguished and had served their country faithfully. With regard to the temporary clerks, he thought that it was unfair to treat persons who had spent ten years of their lives in the service of the public in the light of temporary servants. The saving which the noble Marquess expected to effect was apparent, he thought, rather than real, as would appear on a comparison of items in the accounts.

Mr. MALINS said, he was very happy

to hear the Chancellor of the Exchequer say what he had done as to the unsatisfactory arrangement with the temporary clerks, for nothing could be more absurd, to say nothing of its injustice, than that they should have two sets of clerks in the public service, performing the same duties, the one class being termed established clerks and the other temporary clerks; though many of the latter class were retained almost for life, while others had served some for twelve years, some for ten, some for eight, and so on down to one year; some of them being between forty and fifty years of age, and having families dependent upon them, and who, believing themselves fixed in their positions, were suddenly thrown upon the world. He had received a letter of complaint that morning from a gentleman thus circumstanced, who was forty-three years of age. All men of experience knew how difficult it was to find occupation for young men of twenty; but in the other case it became almost impossible. The Government contended that these gentlemen had had justice done to them by receiving gratuities of £100 on leaving the service. It was true that they might be beyond the letter of the Superannuation Act, but equitably and morally their claims ought to be fairly considered, and he believed the House would have supported any moderate proposition for meeting the just demands of a number of gentlemen, thirty-two in number, thus circumstanced. He regretted that that system should have been adopted, and he trusted that hereafter those who served the public efficiently would be considered as permanently appointed — thereby avoiding the ridiculous distinction of one set of men being viewed as permanent clerks, and another set of men as temporary clerks, when the services rendered by both were precisely identical.

Sir FREDERIC SMITH, said he agreed in what his hon. and gallant Friend (Colonel Dunne) had stated with regard to what are called the respective officers, but he did not perceive any intention on the part of the Government to do away with them. They were useful in curtailing expenditure, and he hoped they would not be interfered with or abolished. He agreed with his hon. and learned Friend (Mr. Malins) that the temporary clerks were very hardly dealt with. The complaint was not so much that they had been removed, as that the gratuity given to them on their removal was insufficient. The Committee and the noble Marquess appeared to be of opinion that the number of clerks was too large for the service to be performed. A diminution in the number being thus necessary, the question was in what class the reduction ought to be made. It must have been felt that whenever a reduction did take place it would be among the temporary clerks taken on during the Crimean war. The fact was they ought to have been weeded out before now. The noble Marquess did not say that the work at the War Office was well done. If so, and if there were inefficient men, let them be removed. The true remedy was to institute an effective supervision of the staff, to see that no more clerks were employed than were actually required, and to take care that these were efficient and well paid. The work at present was not done with accuracy. There was an error, for example, in page 9 of the Estimates, of £443,000 in the addition of the sum total of the first column, and which it was presumed was prepared in the Office of the Accountant General's Department, and this was in a document laid before the House of Commons. The noble Marquess must be aware that the question of promotion was a difficult one, and it presented only a choice of evils. Some one had recommended that the clerks should be two years in each branch of the Department, but there were no fewer than fifteen branches in the War Office, and it would take a man thirty years to go the round of the whole of them. To promote a man from the medical branch, in which he was efficient, to the works' branch, of which he knew nothing, would be absurd. The best system of promotion was a branch promotion; and then, whatever evils occurred, the men would at least know the work they were called upon to do. If some of the branches were too small, they might be put into groups like Railway Bills before a Committee of the House. Nothing could be more absurd than to advance a man from one department with which he was thoroughly acquainted to fill a vacancy in another department of the details of which he was utterly ignorant. No promotion ought to be made at all if an efficient man could not be obtained in the service to fill the vacancy. The public service was the first thing to be attended to, and promotion to the public servants the next. It was stated that the clerks at the War

Office were dissatisfied, and had sent in a representation to the Secretary of State for War. As this was a public document, he confessed he should like to see it, that the House might know what complaints were made. The work of the Department would never be properly done without an efficient supervision. There were 240 clerks in the Department of the Accountant General, and how could they be supervised by one man? The noble Marquess proposed, with a view to economy, to introduce soldiers as clerks in the War Department. This would be very useful under due regulations. No one had a higher opinion of military men than he had, but he advised caution, for the arrangement would be productive of much good or much mischief. If the War Office took the best men from the regiments to employ them as clerks they would cripple the efficiency of the regiments. There was a great want of good orderly clerks and paymaster's clerks—as every one who had the honour of commanding a regiment well knew—and in many cases they could be very ill-spared. But if the War Office gave employment to retired soldiers and pensioners great benefit would be conferred on the service by the encouragement to good conduct which it would produce. With this exception, he should deprecate a large drain from the military service for civil work, and would rather say, "Let the soldier keep to his musket and the clerk to his pen." He hoped that the noble Marquess would re-consider the question of promotion, and that such a plan would be adopted as would do justice to all without outraging the feelings of honourable and worthy men in the service.

Mr. W. E. FORSTER said, there was another question besides those of promotion and the temporary clerks—namely, whether the attempt which the War Office was making to effect a reform in the Department should meet with obstruction or support in the House. It was clear that the noble Lord at the head of the War Office was anxious to have the work of his Office done in the best possible way. The noble Lord on finding that the existing arrangements of the War Office did not work well, caused an investigation to be made, which resulted in a Report drawn up by competent men. And upon the recommendations contained in such Report the noble Lord acted. It would not be possible in any but a public Department that a large business should be conducted as it was in the War Office. For what was it that was wanted? In the first place, that people who were fitted for the work should be put to do it, and in the second, that they should be properly paid. But the arrangements of the War Office were not calculated to carry either of these principles into effect. Was it not an extraordinary thing that when there was a vacancy in one department there should be a promotion in another? If, for instance, in his own business a man engaged in the selling department were to die or to be removed and he were to put in his place somebody from the book keeper's department it would be thought a very injudicious thing. Well, the War Office did not do exactly that, but they put a man to do higher work, for which he was not paid, and they paid a man in another department for work he did not do. The principle laid down as to promotion was found to be so extraordinary and unbusinesslike that even the heads of the departments in the War Office were themselves often compelled to deviate from it, and did not take persons from one department to fill vacancies in another that was wholly different. With regard to the temporary clerks it was impossible not to feel for them much pity, but the War Office were not to keep persons whom they did not want. Therefore the whole question was whether the gentlemen so employed were entitled to a pension or not. He did not wish to prejudice the Committee against a proposal to grant those clerks a pension should the Government wish to grant it, but it should not be forgotten that the word "temporary" seemed to exclude any right of that kind. The whole question turned upon this—whether they had ever been induced to believe that they had ceased to be temporary clerks. He was inclined to think that they had not, and he had come to that conclusion not merely from having read the Report, but from one or two cases which he had known, in which the persons laboured very hard to get themselves removed from the temporary to the permanent establishment. The thanks of the Committee were due to the noble Lord at the head of the War Department for the exertions he had made to reform it.

Mr. ANGERSTEIN said, his object in rising was to prove that the *modus operandi* in the proposed reformation in the War Department could not be satisfactory because it was not just. The Secretary of State had very properly determined to reduce the number of clerks in the War Office, and he applied to the Treasury to know what they would do. The Treasury, instead of saying that they desired to know who were willing to quit the Office under the Superanuation Act, issued a Minute authorizing the Secretary of State to grant at his discretion to clerks who wished to retire, and who had served twenty years, a bonus calculated on a service of ten years, and to those who had served fifteen, a bonus for seven year's service, and so on in proportion. When that became known, many if not most of the best clerks wished to avail themselves of the terms; and no wonder they did, because the bonus was of such a magnitude as to serve as a premium upon retirement—a thing which was hardly compatible with the good of the public service. The Government were, of course, very unwilling to accept the resignation of their best men, and by some means or other it was made known in the Department that it would be convenient if every officer who did not obtain the approval of his superior should retire. Accordingly, the resignations of many had been sent in and accepted. But with regard to those who had done their duty efficiently the Government would neither accept their resignations nor make their *status* better by increasing their chances of promotion. It was a painful thing for a man to feel that when he had done his duty he should be refused an advantage which had been given to those whom it was acknowledged had not done so. He trusted that this matter would be re-considered, and that those who were really efficient would obtain better remuneration.

COLONEL GILPIN said, he did not participate in that feeling of gratitude towards the noble Marquess for his endeavours on this question which the hon. Member for Bradford (Mr. Forster) said he thought the Committee should experience. Neither did he believe the clerks of the War Office were at all grateful for the treatment they had met with from the Government. There were two portions of the Department to which the Report did not refer—namely, the highest and the lowest. He wished to call the attention of the Committee to the enormous sum of £5,739 for messengers, and the additional item of £992 for boys to do the work for them. That was not quite in accordance with the economy of which so much was heard from the opposite Benches, and which was so rigidly enforced towards the service. For instance, a memorandum had been issued inquiring whether any reduction in the allowance of soft soap for cleaning the harness for field batteries, and which was now fixed at three-quarters of a pound per horse per month, and of one penny per horse per month for veterinary medicines, could be judiciously recommended. When military men saw such petty economy practised in their case, it was no wonder they should look with jealousy at the enormous sums granted for the civil part of the service. He trusted the noble Marquess would look out for old soldiers who for smaller pay would do the work which was now done by boys. It was pretty well known that the great duty of the boys was to do the work for the messengers who were too fat and too lazy to do it.

THE MARQUESS OF HARTINGTON said, that the hon. and gallant Member (Colonel Dunne) had referred to a great many points incidentally mentioned in the Report as bearing on the administration of the War Office. Into the regulations of the Commissariat and the intended arrangements in the barrack department he would not enter, because they did not affect the administration of the War Office. But the consolidation of the finance regulations did affect it, and on this subject the hon. and gallant Gentleman (Colonel Dunne) would have done better to postpone his ridicule until he had seen the consolidation and knew what was its result. As to the statement that no good could be done except by a board of officers, he quite agreed that if new regulations were to be framed for the payment of officers and men, it might be necessary that, if officers were not employed to frame them, they should be consulted on the subject. But here there was no question of framing new regulations; the only thing to be done was to arrange and modify regulations already in existence, so that they might be easily understood by all who might refer to them. On a former occasion he had stated the reasons which led the Government to think that this consolidation would be better done by a civilian accustomed to such work than by any officer, and he felt convinced that the army would not follow the example of the hon. and gallant Member, and prematurely ridicule a work which they had not yet had an opportunity of seeing. As to the remarks of the hon. Member (Mr. Angerstein), the proposal of the Treasury was by no means a general invitation to the gentlemen in the War Office to retire upon certain terms; it was simply an intimation that as a reduction had to be made in the establishment, the authorities would be prepared to entertain applications for retirement by such gentlemen as might be recommended by the Secretary of State. It was quite obvious that those applications could only be entertained to a limited extent. Earl de Grey was quite aware that the task of selection would be a difficult and a delicate one, and he therefore appointed a sub-committee of officials in the War Office to consider whose services might be best dispensed with, and whose services it would be impossible conveniently to dispense with. This committee went carefully into the subject, and in every case their recommendations were carried out; so that there was no exercise of private influence, and, so far as he could see, no hardship or injustice had been done. Some remarks had been made as to the number of messengers in the War Office. The attention of Earl de Grey had been called to the subject, and the result was that no new messengers had been appointed, and it might be found possible, in the course of time, to make some further reduction. It was an error to suppose that the boys in the office were kept to do the messengers' work; these boys were in reality employed in carrying papers from one part of the office to the other, which did not form part of the messengers' work.

COLONEL DUNNE disclaimed any feeling of hostility towards, or any wish to cast ridicule upon, the gentleman employed to consolidate these regulations, but he believed the feeling of the army to be, that that gentleman was not qualified for the work which required a knowledge of military details only possessed by officers.

Vote *agreed to.*

NAVY ESTIMATES.

(2.) £1,134,572, Naval Stores.

SIR JOHN HAY said, he wished to ask for explanations of the estimated cost of altering the armour-plating of the *Royal Alfred.*

MR. CHILDERS said, he would give the explanation when the Report was brought up.

Vote *agreed to.*

The Marquess of Hartington

(3.) £564,700, Steam Machinery.

(4.) £698,195, Half Pay, &c.

SIR JOHN HAY said, he was happy to see a reduction in the dead weight amounting to nearly £30,000 in the pay to reserve officers; but there was so much the greater reason that some consideration should be shown to those officers whose case had been so often brought before the House, and especially the reserve captains on the F G list. The Committee appointed to consider the question of naval retirement could not enter into the grievances of these officers, because they involved a money question which had not been submitted to the Committee. These captains were removed from the active to the reserved list when the right hon. Gentleman (Sir Francis Baring) was First Lord of the Admiralty. Certain officers had served with considerable distinction, and as they were getting old they were offered the retirement which then existed for officers of that rank. They declined that offer, and refused to accept the retirement, but the First Lord was determined to remove them from the list, and he caused a reserved list to be framed. Having declined to accept the retirement, they were persuaded to go upon the list thus created, believing that by this removal they continued to enjoy all the advantages accruing to officers on the active list, except that they would not receive the same amount of employment. They received Commissions like officers on the active list, and not similar to the Commission of retired officers, and they believed, and were assured, that they would lose nothing by accepting promotion on the reserved list. This impression of theirs received some corroboration from what occurred at the time of the Russian war, when many of them applied for employment, for Sir James Graham did not decline their services upon the ground that they were on a list which incapacitated them from serving, but because their services would not be required, as there was no probability of a great naval war with Russia. No doubt, there was considerable advantage at the time in removing these officers from the active list, as room was thus made for promotion, but there was also considerable hardship in the fact that in accepting the reserve list they were not aware that they were accepting a retirement. He would suggest that a small boon should be granted to them, and that they should be allowed, rising *pari passu* with captains on the active list, the same additional pay of 2*s.* a day as officers on the active list became entitled to; and that they should also be entitled at the proper time to their reserved flag. Considering that the country received in the present year £30,000 from the diminution of the list, and that an expenditure of about £5,000 a year for a very short time was all which the adoption of his suggestion would entail, he thought that the Government would do well to consider the proposal. He was aware that the matter had often been discussed in Parliament; and that the Law Officers of the Crown had decided that these gallant officers had not the right which they had imagined they possessed; but, considering their age and services, it seemed very hard to withhold from them that to which they seemed to have a reasonable claim, and he trusted that their case would receive further and favourable consideration.

Lord CLARENCE PAGET said, that the hon. and gallant Gentleman had often brought the case of these gallant officers before the House, and had urged that they ought to be allowed to rise *pari passu* with officers on the active list. The right hon. Member for Portsmouth (Sir Francis Baring) was the First Lord of the Admiralty when the Order in Council, having reference to the officers in question, was issued, and that right hon. Gentleman had often stated that he never had the intention of giving them the same advantages as officers on the active list. These officers were commanders, and they were promoted from commanders to captains on the reserved list, receiving the lowest rate of captains' half pay. He could not concur in the statement that these officers had accepted their promotion with the understanding that they were to rise *pari passu* with the active list, and receive the higher rates of pay attached to that list. The question was, whether it would be a sound and just measure to allow officers promoted to the reserved list, and whose services the public thereby lost (as it was a clear understanding with them that, unless on some great emergency, they never would be called on to serve), to rise *pari passu* with officers in the active list, who were liable to be called on to serve. He did not conceive that there could be a difference of opinion on the subject. It would be perfectly unjust and disadvantageous to the navy if officers were to be told that they might, if they chose, go on the reserved list, and that then they should have exactly the same pay as officers likely to be called on to serve. The Law Officers of the Crown had given their opinion that there really was no case in favour of the claim made on the part of these officers. Their case was brought under the consideration of a Committee of that House two years ago, and the feeling of the Committee was in favour of granting them any boon that could possibly be conceded, and the Government, in consequence, decided that their services should count towards increased pay under the terms of the Order in Council which granted increased pay for length of services; so that those officers not only received their 10*s.* 6*d.* a day, but also increased pay according to length of service. The suggestion of the hon. and gallant Member for Wakefield (Sir John Hay) would, if acted on, cause many of the officers to be losers, because there were many now receiving 4*s.* a day in addition to the pay they would have been entitled to had they remained on the active list of captains. There were seventeen of these officers who received considerably higher pay than captains on the active list. There was one officer receiving 16*s.* 6*d.* a day, who if he had gone on *pari passu* with the active list would have now been receiving 14*s.* 6*d.*; and there were several receiving 14*s.* 6*d.*, 15*s.* 6*d.*, and 15*s.* 9*d.*, who if they had remained on the active list would only have been receiving 12*s.* 6*d.* He could not, therefore, hold out any hopes that the Government would be prepared to ask the House to extend any further boon to those officers.

Admiral WALCOTT had learnt with considerable regret, from the speech of the noble Lord the Secretary of the Admiralty, the continued indisposition of the Board of Admiralty to meet the claims advanced in their memorial by the reserved captains of the Navy. At the same time, he frankly admitted that when the right hon. Baronet the Member for Portsmouth, in the year 1851, at that time presiding at the Board, drew up the Minute offering retirement to these officers agreeably to that Minute, he had done so in the full belief that it did not lay open to any misunderstanding. He, however, contended an amount of ambiguity was apparent which justified these officers in arriving at a different impression, and certainly a subsequent Board of Admiralty had thought so, or they would not have consented to the submitting this memorial of these captains for the legal opinion of the Law Officers of the Crown; in equal fairness he admitted that opinion had been against their claims. Still, when submitted to the House of Commons, the Commitee appointed by the House to investigate them had recommended a favourable consideration might be extended in their favour, and agreeably as had been said by the noble Lord, inasmuch as some increase in their half-pay had been granted in their behalf. And he further added that those of them who had served long and faithfully had had proper consideration allowed to them; but he (Admiral Walcott) maintained that meritorious officers had shown themselves anxious for active service, but had unfortunately failed to obtain it from the want of Parliamentary or political influence, were equally deserving of the favourable consideration of the Government and the nation. He had had personal communication with several of these captains, and they had assured him on their honour that when they accepted the offer of retirement contained in the Minute they had done so in the full and firm belief that they, though set aside from active service, where by it insured to rise in rank and increase of pay similarly with captains on the active list, according to seniority. He had advocated the claims of these officers on former occasions, because he had believed it to be just, and he still retained this strong opinion. If the Government looked to the officers, whether of the army or the navy, to perform meritorious services to their country, it was incumbent on it to deal out a meed of justice to them all, and in doing so he believed it would be applauded by the nation. He, therefore, regretted the decision at which the Government had arrived in this matter, and feared it would cause great dissatisfaction in the service.

Vote *agreed to.*

(5.) £507,211, Military Pensions and Allowances.

(6.) £208,033, Civil Pensions and Allowances.

(7.) £320,580, Freight of Ships.

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again on *Wednesday.*

House adjourned at half after Eight o'clock.

HOUSE OF COMMONS,

Tuesday, April 25, 1865.

MINUTES.]—Supply—*considered in Committee —Resolutions* [April 24] *reported.*

Public Bills—*Resolutions in Committee*—Mortgage Debentures [Stamps]*; Land Debentures [Stamps.]*

Ordered—Greenwich Hospital*; Union of Benefices Act Amendment*; Salmon Fishery Act (1861) Amendment*; Railway Clauses.*

First Reading — Greenwich Hospital* [113]; Railway Clauses* [114].

Second Reading—Roads and Bridges (Scotland)* [101]; Charitable Trusts Fees [65] *negatived;* Oxford University (Vinerian Foundation) [107].

Committee — Local Government Supplemental [58]; Mortgage Debentures (*re-comm.*)* [72] —R.P.

Report—Local Government Supplemental* [58].

METROPOLIS SEWAGE AND ESSEX RECLAMATION BILL—(*by Order*).

CONSIDERATION.

Bill further considered.

Sir WILLIAM RUSSELL moved that the following clause be added to the Bill:—

> "Article 15 of the said agreement scheduled to this Act is hereby annulled; and if the main culverts are not completed in the manner defined in Article 8 of the said agreement within the time prescribed in that behalf by this Act, then, notwithstanding anything in the said agreement or in this Act, the concession made by the said agreement shall at the expiration of that time absolutely cease and determine; and Article 25 of the said agreement scheduled to this Act is altered by extending the power of the Board to inspect the vouchers to the books of account therein mentioned."

He thought the clause would meet the objections that were raised to the passing of the Bill before the Easter recess.

Mr. AYRTON said, that this clause was intended to carry out what was understood to be the wishes of all parties—namely, that in the event of the promoters of this scheme not being able to complete it within the time allowed by Parliament they should have no claim upon the ratepayers for indemnity, and they should proceed upon the merits of the scheme and at their own risk. The clause also provided that the Metropolitan Board should have full liberty to inspect the books and papers of the promoters. With this additional clause he did not think the Bill was further objectionable.

Clause *added.*

Bill to be read 3°.

EXHIBITION OF REFORMATORY CHILDREN.

QUESTION.

Mr. TAVERNER MILLER said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to a proposed Exhibition of Reformatory Children, to be held at the Agricultural Hall, Islington, from the 19th to the 25th May next, and whether it meets with his sanction and approbation? He might, perhaps, be allowed to add that the children had all been criminal offenders.

Sir GEORGE GREY, in reply, said, his attention had not been drawn to this subject, nor had he heard of any intention to hold such an exhibition till yesterday, when the hon. Gentleman was good enough to inform him of the Notice he had placed on the paper, in order that his attention might be called to it. This morning, however, he had received by post a printed paper, stating that the exhibition, about to take place, was an exhibition of the products of the industry of children in Reformatories, and that on a certain day one thousand of the children would perform certain pieces of music, such as the Morning and Evening Hymn. He certainly entirely agreed with what he understood to be the feeling of the hon. Gentleman, that it was most inexpedient that children who had been convicted of crime and sent to Reformatories should be made a public exhibition of in this manner. He had, therefore, sent to Mr. Turner, the Inspector of Reformatories, to know whether he was aware of the intention to hold such an exhibition. He had not been able himself to see Mr. Turner, but he understood from him that no child who was an inmate of any Government Reformatory would be present—the children proposed to be present at the exhibition were wholly unconnected with Reformatories certified by the Government or receiving any grant from Government.

Mr. TAVERNER MILLER said, that it had been announced that two hundred children would be present from the Middlesex Industrial School.

Sir GEORGE GREY said, that was not a certified Reformatory. It existed under an Act which there was a Bill now before Parliament to amend; but it was not a certified Reformatory, and received nothing from the Government.

OBSOLETE ACTS OF PARLIAMENT.

QUESTION.

Mr. HADFIELD said, he would beg to ask Mr. Attorney General, When he intends to bring in a Bill to repeal Obsolete Acts of Parliament in continuation of the Act of 1863?

Mr. ATTORNEY GENERAL said, in reply, that the Bill was in preparation. He could not state positively that it would be introduced during the present Session, because accuracy in such a matter was of primary importance; but he had every reason to hope that he should be able to introduce it.

GREENWICH HOSPITAL—[Bill 113.]

LEAVE. FIRST READING.

Mr. CHILDERS said, he rose to ask leave to bring in a Bill to provide for the better government of Greenwich Hospital, and the more beneficial application of the revenues thereof. Towards the end of last Session, in a debate raised by his hon. and gallant Friend the Member for Wakefield (Sir John Hay), he had stated in general terms what were the views of the Government with respect to the future management of the Hospital and the application of its revenues. In a few words the position of the Hospital at that time was this —it was enjoying an income of £154,000 per annum, and the expenditure in connection with it was about £134,000, so that there was a surplus, real or apparent, of about £20,000. He said "real or apparent," because the real surplus was not so large; a portion of the income was only of a temporary nature, and provision was made for investing it. He stated the expenditure of the Hospital in connection with seamen and marines at £107,700, or £70 per head. He said that the Commissioners, in their Report, had stated that an endeavour should be made to increase the numbers in the Hospital from 1,600 to 2,300; but, in spite of every endeavour to increase the number by additional gratuities, additional advantages to married men, additional comforts in the Hospital and otherwise, instead of an increase, when he spoke in the beginning of June last year, there were only 1,508 inmates. He stated that the Admiralty had very carefully considered the whole subject, and the evidence taken by the Commission; and, having in view the opinion indicated by the Commissioners themselves — in the event of their plan to attract more men into the Hospital failing — the Government had come to the conclusion that, instead of endeavouring to attract a larger number of seamen into Greenwich Hospital by additional gratuities and the greater comforts that might be given to them, and thus only making more expensive an institution which, however suited to a past age, was of a *quasi*-monastic character, and not so well adapted to the exigencies of the present time, it would be better to ascertain whether the very large funds at the disposal of the Hospital might not be expended in a manner better calculated to meet the wants of the old sailors to whom those funds belonged. He stated, with reference to the recommendations of the Commission, and the notorious evils of the double government of the Hospital, that the Government had taken up the question as a whole, and as they were proposing to make a very great change with respect to the admission of seamen into the Hospital, the whole management should be treated *de novo*, and established on a more satisfactory basis. It was then proposed to limit the admission to infirm and helpless seamen, and to pensioners who require medical assistance of a temporary character, making the Hospital serve for pensioners as Haslar did for seamen in the service, as well as an asylum when they were unable to take care of themselves. The number estimated to be provided for would be thus reduced to 600 seamen and marines. They then proposed to apply the large and increased funds at the disposal of the Hospital to increasing the out-pensions of seamen after certain ages, and giving additional retirements to officers. The government of the Hospital should henceforth be under the same system that prevailed at Haslar; and the management of the Hospital revenues would be entirely distinct from that of the expenditure. With respect to the officers and clerks employed, the Government proposed to compensate them liberally. A great variety of details were involved, but he had promised that during the recess a joint Committee of the Treasury and Admiralty would be appointed, and that he hoped at an early period in the present Session a measure would be proposed to carry the scheme into effect. The Admiralty had complied literally with the engagement he then made. In the first instance, they had altered the regulations with regard to admissions to the Hospital, limiting them to wounded and maimed or infirm and helpless seamen and marines, and those who were in want of medical assistance. Later in the year a joint Committee of the Treasury and Admiralty was appointed, consisting of Mr. Hamilton, Assistant Secretary to the Treasury, Sir Richard Bromley, and himself; and though the serious illness of Sir Richard Bromley had caused some delay, they had made a Report in February which had been carefully considered by the two Departments, and the measure he now asked leave to introduce was founded on that Report. He need not say that that Committee did not inquire into, nor were they responsible for, the general features of the scheme. The principles had been laid down for them in the Admiralty Minute, in which the Treasury concurred. He would lay on the table all the papers on the subject, which would show what difficulties had been experienced with respect to some of the details; as to which, however, nothing would be kept from the House. He would now state to the House what they proposed to do with respect to the management of the income of Greenwich Hospital. That income was now about £154,000 a year, and it arose first from the interest on certain invested moneys; next from a grant of £20,000 from the Consolidated Fund in lieu of the old deductions from merchant seamen's wages called seamen's sixpences; and lastly from rents of estates in the North and in the neighbourhood of Greenwich amounting to about £40,000 a year. The Government proposed that the management of this income should be kept perfectly distinct from that of the expenditure of the Hospital, and should be placed under the guardianship of that House. The entire expenditure connected with Greenwich Hospital would appear in the Estimates, so that the House of Commons would have complete control over it. With respect to the income, they had considered it most necessary to provide that, under no circumstances, should the income of Greenwich Hospital be regarded as part of the general revenue of the country. That income was applicable to certain specified purposes which had been defined by law, and would continue to be so applied; and although the House would be able to object to any part of its expenditure, it should not have the power of applying the income to other purposes. At the same time, it was rather difficult satisfactorily to constitute a department for the management of this income. To retain three Commissioners, a Secretary, and Treasurer, with all their paraphernalia, would be absurd, nor would it be proper to leave to a single Commissioner the entire management of estates of such magnitude. It had been, indeed, proposed to associate unpaid Commissioners with a paid officer, but the experience of boards so composed was not favourable. What the Government proposed was that an officer should be appointed by law, to be called "The Controller of the Greenwich Hospital Estate," and that the estates themselves should be vested in the Board of Admiralty, and should be managed by this Officer, who would be placed under its direction. By this means they anticipated that they would obtain, on the one hand, economical management, for he need not say that the department which would be required would be a very small one; and, on the other, complete security that the estates should be kept altogether separate from other public estates of the country by being vested in a body specially responsible for the affairs of the navy. Passing from the management of the income, what they proposed as to the expenditure was, that in the first instance the whole expenditure on account of Greenwich—that was, on account of the Establishment at Greenwich itself, and the out-pensions and retirements, which would be a charge upon the Greenwich Estate—should be provided by a Vote of Parliament, and that the arrangements as to pensions and the Establishment at Greenwich should be subject to Orders in Council, in the same way that other arrangements under the direction of the Admiralty were subject to such Orders; that the income of Greenwich should be carried to a separate account in the books of the Paymaster General, and that at the end of the year, when the actual expenditure on account of these services had been ascertained and certified by the Commissioners of Audit, that amount should be transferred to the credit of the Consolidated Fund from the Greenwich Hospital account, so that if there was a balance in favour of that account the balance might be invested for its benefit; and if, unfortunately, there was a balance against it, the deficiency should be made up out of the capital. In that way the account of the income and expenditure of Greenwich Hospital would be kept entirely separate from that of the other income and expenditure of the country; and that House would have entire control over every shilling expended in connection with Greenwich. They also proposed very largely to extend the functions of the Commissioners of Audit. At present the details of the landed income were not audited by those Commissioners. It was proposed by this Bill to impose upon them the duty of auditing both the income and expenditure of the Hospital; the former being audited in the same way as the income of the Crown estates, and the latter like any other naval charges. The amount of the income, as estimated by the Commissioners for the present year, was £154,600. The Bill proposed that in the first place this should be devoted to the maintenance at Greenwich of a Hospital and Infirmary, providing for the accommodation of 600 seamen. A detailed estimate of that expenditure had been prepared, and it showed that the amount required for that purpose, including gratuities and all expenses of management, would be about £45,000 a year. The Schools would be maintained as at present. They now cost £22,000 a year, and the future expenditure had been estimated at £23,000, making a local expenditure at Greenwich of £68,000. It was next proposed to grant special additional out-pensions, to be called "Greenwich out-pensions," to all out-pensioners exceeding a certain age, according to a scale which he would describe to the House. The pensioners at present varied in age from about forty to about eighty years of age. The Government proposed to take fifty-five as the age at which pensioners should be entitled to some additional boon, and to provide that, at that age, an additional pension of *5d.* a day should be granted to them, provided that they had been on the list for five years. At seventy they proposed that the pensioner should receive *9d.* additional instead of *5d.*, but that this addition should be given to those only who had been on the pension list for ten years. The total number of out-pensioners, according to a Return which the Admiralty received from the War Office at Christmas last, was 11,909. Of these there were over seventy years of age, who had enjoyed their pensions for more than ten years, 1,352, and over fifty-five years of age, who had been in the receipt of pensions for five years, about 2,965; so that the number of out-pensioners who would receive the additional

Greenwich out-pensions would be 4,317. To that must be added a sufficient allowance for those who, under the present system, were in-pensioners of Greenwich. There were at present in Greenwich Hospital 356 men over seventy, and 429 over fifty-five years of age, who would be out-pensioners if they chose to leave the Hospital. Altogether, they calculated that provision should be made for 5,000 out-pensioners, at a cost of about £48,000. In addition it was necessary to make a fair provision for the loss which the officers of the navy would sustain from the change in the arrangements. He was aware that he was here treading upon disputed ground. The members of the Commission rather tended to the opinion that the funds of Greenwich Hospital were intended solely for the benefit of seamen, and that it was unjust to apply any part of them to the relief of officers. The Admiralty did not entertain that view, and they therefore proposed that fair consideration should be given to officers as well as to seamen. There were at present out-pensions to officers—called "out-pensions of Greenwich Hospital," formerly chargeable on the Hospital funds—payable to ten captains, fifteen commanders, fifty lieutenants, and fifteen masters, in all ninety. They proposed to add to these, pensions to six captains, nine commanders, thirty lieutenants, and five masters. They also thought that it would be fair, considering what other ranks would lose by the change, to add fifteen pay-masters and nine warrant officers. This, altogether, would give out-pensions to seventy-eight additional officers, at a cost of £3,990, and they proposed to charge these on the Hospital funds. In addition to that they proposed to make the following arrangement with reference to flag officers. At present flag officers were in receipt of considerable advantages from Greenwich Hospital. The Governor and Deputy Governor were distinguished Admirals, and he need not say anything of the great merits of those very distinguished officers. If Greenwich was to be managed like a hospital there would be no necessity for having these officers, and they proposed to make the following arrangements. There was a list of reserved flag officers called the "A" list, upon which no officer was placed unless he was seventy years of age or had received some great injury in the service. These officers were in receipt of an extra good service pension of £150 in addition to their half-pay. It was proposed to increase the present number by six. On the other hand, whilst making this addition to the "A" list, it was proposed to reduce the "active list" by six flag officers. There was also attached to the "A" list, and in one sense forming part of it, the reserved flag list of Greenwich Hospital, which contained at present four names. As vacancies occurred in this list it was intended to add to the "A" list, so that in the end that list would consist of twenty instead of ten. The addition, however, of the six would be spread over three years — that is, two a year; and the reduction of the active list would be of four Rear Admirals, one Vice Admiral, and one Admiral, beginning with the Rear Admirals. The whole plan would make provision as follows—for flag officers £1,500 a year; for 78 officers, in the shape of out pensions, £3,990; and for 5,000 seamen in a similar manner. £48,000. It was also their duty to make an equitable arrangement between the Treasury and Greenwich Hospital, because, as the House was probably aware, a sailor, on entering the Hospital, resigned his out-pension so that from the entry of each sailor into the Hospital the Treasury received a certain advantage They now proposed, therefore, that the Treasury should receive out of the funds of the Hospital £15 a head for the number of inmates falling short of an average of 1,400, so that when the numbers were ultimately reduced to 600, the credit to the Treasury would amount to £12,000 This would act as a set-off against the £20,000 which the Hospital received from the Treasury. With respect to the widows' gratuities, they proposed to continue the present system, under which the widows of seamen drowned or killed in Her Majesty's service were entitled to gratuities from the Greenwich estate; but instead of setting aside a fixed sum to form a fund, those gratuities would be paid out of the Votes by Parliament, but charged in the same way as other charges in the settlement of the account with Greenwich Hospital. The result of these charges would leave a surplus on the total income of the Hospital, amounting to £154,000, of something over £13,000 a year, which would be left for accumulation in precisely the same way that the funds of Greenwich Hospital were at present left to accumulate. He must point out to the House that during the first two years of the new system they did not anticipate that the number of men in the Hospital would be reduced to the 600 for which provision was made, as the ultimate establishment. In order to meet this, they proposed the first year to limit the number of extra out-pensions to seamen to 3,000, and in the second to 4,000, bringing the number to the maximum of 5,000 in the third year. In the same way they proposed that only two of the six additional flag officers' out-pensions, and twenty-six of the additional officers' out-pensions should be granted the first year, similar additions being made in each of the two following years. The anticipated saving from this arrangement would, in the first year, amount to nearly £30,000, and in the second to nearly £15,000, and as the whole expenditure of the Hospital would be £45,000, he thought that would be a quite sufficient sum to provide for the gradual reduction of the seamen in the establishment. There could, he believed, be no doubt that the reduction would take place very rapidly. He had watched very carefully the change which had been effected by the regulation of last year. When he addressed the House in June 1864, upon this subject there were over 1,500 pensioners in the Hospital, but the number was now about 100 less. That change had been effected merely by restricting the admission to infirm and helpless seamen, and he had no doubt that the increased out-pension would bring about a far more rapid reduction. He also proposed under this Bill to give power by Order in Council to the Admiralty to grant to those now in the Hospital who might elect to leave not only the amount of the new out-pensions, but also something in addition, not to exceed the amount of the money gratuity they receive in the establishment, with respect to the future numbers. The total number of infirm and helpless men in the Hospital was now something under 450; and he did not expect that, under ordinary circumstances, 600 would ever be exceeded. He might add that they proposed leaving the Commissioners and the military officers in the enjoyment of precisely the amount of salary and emolument which they now received. He believed that it would be unadvisable to swell the superannuation list for this purpose, and they therefore proposed to purchase at the Government Annuity Office, out of the capital fund of the Hospital, annuities equal in value to the amount of the salaries paid to those officers, including of course the value of their residences, and other allowances. The Governor and the Lieutenant Governor would both have the option of leaving the Hospital on these terms, or of remaining in the enjoyment of their titles and of the residences in which they at present dwelt. The compensation would be made by the investment in annuities of about £170,000 or £180,000 out of the capital stock of the Hospital, which amounted altogether to nearly £3,000,000. With respect to the clerks, many would continue to be employed, either at Greenwich or elsewhere, and provision would be made for the superannuation of the rest. He had now gone through the general features of the measure. Some of these arrangements would be provided for in the Bill, others were within the competence of the Admiralty. The Bill provided for the management of the income of the Hospital; it gave power to the Queen in Council to make the necessary orders with respect to the establishment and to the additional pensions to officers and men; it charged those pensions on the Hospital funds, but provided that they must first be voted by Parliament. It also provided for the auditing of the accounts. He believed that the proposal which he had detailed to the House would be regarded by the service as advantageous. If the House would consider the general effect of the measure — that, instead of the advantages of the Hospital being confined to 1,400 men, their enjoyment would be extended to 6,000, he believed that the proposed alterations would generally be deemed satisfactory, and suitable to the present condition of affairs. As they had striven for the attainment of only one object—the best application of the funds to the purposes for which they were intended, he hoped that the measure would be received by both sides of the House with the favourable consideration which had been exhibited on a former occasion. The hon. Gentleman then moved for leave to introduce the Bill.

Moved, That leave be given to bring in a Bill to provide for the better government of Greenwich Hospital and the more beneficial application of the Revenues thereof.—(*Mr. Childers.*)

Mr. LYGON said, that with a great deal of what had fallen from the hon. Gentleman every body must agree. Having himself had an opportunity some time since of examining into the affairs of Greenwich Hospital, he had arrived at the conclusion that in order to effect the most good with the funds at the disposal of the Hospital a larger number of out-pensions should be granted. Circumstances and habits had greatly changed since the time when the Hospital was first established, and pensioners were able to obtain a greater amount of comfort in their own homes than they could obtain at the same cost in the Hospital. He had listened with some anxiety to the statement of the hon. Gentleman in order to obtain some information upon two points. He was desirous to know what the duties of the Controller of Greenwich Hospital were to be, for if it was intended to make the establishment merely a Department of the Admiralty, and that the administration of its affairs was to be yearly considered by Parliament, he thought that was a subject upon which much difference of opinion might be expected. He also wished to know what was to be the ultimate destination of the magnificent building at Greenwich. It was proposed to retain only 600 pensioners there, and he wanted to know how the remaining accommodation, which was sufficient for 2,000, was to be employed. He thought it would be a useful application of the surplus accommodation to provide naval barracks, which were much wanted, and by so doing set Haslar free.

Mr. LIDDELL said, that representing the landed property which formed the bulk of the Hospital estate, he felt a great interest in this subject, and was glad to be able to express his approval of much that had fallen from the hon. Gentleman the Member for Pontefract (Mr. Childers). At the same time, while approving generally of the scheme, he must guard himself against approving all the complicated details until he had an opportunity of considering the Bill. As to the future use to be made of the buildings at Greenwich they must not overlook the possibility of a future naval war, when a necessity for extra accommodation for wounded seamen would arise. It would therefore be necessary to keep many of the wards in a state of preparation for such contingency. With regard to the present surplus of the Hospital funds the amount of £11,000 a year did not exactly represent the real amount, as £2,000 was expended for insurances, and the remainder was funded to meet the contingency of an exhaustion of the minerals upon the Hospital estates. He understood that the future surplus under the proposed scheme would be only £13,000. The margin of £2,000

between the two surpluses seemed to be rather a narrow one to provide for the increased accommodation that would be required in case of our being engaged in a naval war. With regard to the very large extra amount of allowances which it was intended to bestow upon officers under the new scheme, he thought they were entitled to participate in its advantages, but it did not appear to him to be just that the State should profit by throwing upon the revenues of the Hospital any greater amount of retiring allowances than the officers would have been entitled to had the institution been kept up in its entirety.

Sir JOHN HAY said, he wished to give his general concurrence to the scheme, but he agreed with some of the remarks of his hon. Friend the Member for Northumberland (Mr. Liddell). It seemed to him that the Treasury should not be relieved to the extent of £14,000 a year out of the £20,000 now paid by the country towards the maintenance of the Hospital. That would be appropriating charity money to State purposes, which he thought the House would not sanction. He thought the reduction in the flag list of officers was in the right direction, but he did not think that the cost should be paid out of the Hospital revenues. The sum to be paid back into the Treasury ought, in his opinion, to be funded in order to meet the possible increase of accommodation that might be required for wounded seamen in time of war. All these, and other points which had been referred to, were matters of detail, and could be better considered at a future stage of the Bill. He was glad to find that the monastic seclusion to which seamen had been condemned in Greenwich Hospital would be done away with, and that they would be allowed to enjoy their pensions at their own homes.

Lord CLARENCE PAGET said, he thought it would be convenient to defer any explanation of details until the Bill had been printed. He would only observe in answer to the question that had been asked about the disposal of the building at Greenwich, after the reduction in the number of inmates, that, as had been remarked by another hon. Member, in case of a naval war additional hospital accommodation would be needed, and the building would be reserved for that purpose. The hon. and gallant Officer opposite (Sir John Hay) seemed to think that the revenues of Greenwich Hospital were to be saddled with allowances to flag officers, but what was intended was to grant a certain number of out-pensions from the Hospital funds, and the officers would receive their half-pay as before. There would be a certain reduction in the active flag list and an increase in the reserved flag list on half-pay.

ADMIRAL WALCOTT said, he had not risen to offer any opposition to the first reading of the Bill, indeed he should have thought any such intention unseemly—he, however, though abstaining from entering into the details of the measure, which had been with such clearness and succintness set forth by the hon. Member (Mr. Childers), could not refrain from expressing the surprise and regret he felt at the proposition for displacing the Governor and Lieutenant Governor from the positions they now held. The position of those officers, in his opinion, added greatly to the comfort and advantage of the Pensioners and the general resources of the Asylum. The inmates had immemorially been accustomed to regard these officers with reverence, either in having gallantly led them into action or from having been disabled or maimed like themselves in their country's service, and to maintain discipline and ensure the efficiency of the Institution. He would further observe the public had always associated these officers with the names of distinguished and successful Naval Commanders. He therefore trusted this matter would be re-considered before the Bill was submitted for a second reading.

MR. CHILDERS said, that those officers were expressly excepted; that they were to have the option of remaining where they were, and that that exception was mentioned in the Bill.

Motion *agreed to.*

Bill to provide for the better Government of Greenwich Hospital, and the more beneficial application of the Revenues thereof, *ordered* to be brought in by Mr. CHILDERS, Lord CLARENCE PAGET, and Mr. ADAM.

Bill *presented,* and read 1°. [Bill 113.]

UNION BENEFICES ACT AMENDMENT.

LEAVE.—BILL ORDERED.

MR. E. P. BOUVERIE moved for leave to introduce this Bill. He said that on a former occasion he had made a statement as to its objects, but as, unfortunately, there were an insufficient number of Members present he was not then successful in obtaining leave. It would, therefore, be unnecessary for him now to do more than make the Motion of which he had given notice.

Moved, "That leave be given to bring in a Bill to amend an Act passed in the twenty-third and twenty-fourth years of the reign of Her present Majesty, intituled 'An Act to make better provision for the Union of contiguous Benefices in Cities, Towns, and Boroughs.'"

SIR GEORGE BOWYER said, he had no wish to oppose the introduction of the Bill, but, as a friend of Archdeacon Hale, and on his authority, he wished to state that what was said of him on a previous occasion—that he was obstinately opposed to the clearly expressed wish of the Legislature as to these benefices—was an entire mistake. The facts were these. A scheme had been submitted to and approved by the Dean and Chapter of St. Paul's for the taking down of St. Benet's Church, and the sale of its site by tender. The Ecclesiastical Commissioners, when the scheme came before them, altered it so that the sale was to be effected by public auction. Archdeacon Hale would doubtless have preferred that it should not have been taken down at all; but, at any rate, he did not consider that the sale of a church by public auction was a becoming thing, and he objected to that part of the scheme, but he had no intention whatever of setting himself against the declared will of the Legislature, and of the other bodies whose consent had been gained. Instead of altering the scheme and removing this objection, the right hon. Gentleman thereupon introduced a Bill for dispensing entirely with Archdeacon Hale's consent, thus not only placing the Archdeacon in an unfair position, but doing away entirely with one of the securities provided by the original Act. Before leave was given to introduce the Bill he should like to hear from the right hon. Gentleman whether it contained any provision for the sale of the church by public auction, and also whether it contained a provision for dispensing with Archdeacon Hale's consent.

MR. LYALL said, he had no doubt that this Bill was introduced with the best intentions towards the Church, but he did not look with much favour on a piecemeal legislation such as this to provide for the scruples of one individual. If the right hon. Gentleman wished to amend the scheme of 1860 he ought to bring forward a general amending Bill. The Act of

1860 put many persons in a very uncomfortable position. For instance, the consent of the rectors of these churches was to be asked for the sale of their graveyards, but the rectors naturally objected to consent to the sale of the graves of people over whom they had been appointed guardians, and to give an opportunity of erecting a public-house on the site of those graves. When the original Act was passed, it was generally recognized that it was not likely to be very effective, considering how many consents were required, and if any interference of the Legislature were needed the right hon. Gentleman should have introduced a general amending Bill. It was throwing too much responsibility on the clergy in many cases to ask their consent, and if public policy required the sale of a church it ought to be done by a compulsory enactment decided on by Parliament not by a permissive one.

MR. DARBY GRIFFITH said, he had to complain that the right hon. Gentleman had not explained what the provisions of the Bill were. The right hon. Gentleman (Mr. Bouverie) could have but little confidence in his Bill when he sought to introduce it almost by taking the House by surprise, and without giving any information at all respecting it. He supposed, however, that it might be taken for granted that it was directed against a particular ecclesiastical dignitary. When the original Bill was passed numerous safeguards were provided; but when, for the first time, the conscientious scruples of one man came into play, a Bill was introduced *pro hâc vice* to do away with him altogether. Certainly, they ought to have some explanation of the character of the measure.

MR. HUBBARD said, he thought that when a Bill was brought forward which would act as a Bill of Pains and Penalties to a dignitary of the Church its unusual character alone required something more than a cursory statement like that of the right hon. Gentleman on the other evening to induce the House to permit its introduction. Since then there had been placed on the table of the House the correspondence on the subject with the Ecclesiastical Commissioners and others concerned in the matters at issue, and those documents were an entire and complete justification of the course which he (Mr. Hubbard) had taken on a former occasion. One of the points for which the House had expressly provided had arisen. The House determined that as the Archdeacon was the person specially authorized and empowered by his office to protect the fabrics of the Church, his consent should be requisite upon the proposed removal of any of them, as well as that of the other authorities. The correspondence on the table showed that it had been arranged by the Bishops' Commissioners that on the union of the parishes mentioned in this Bill the church of St. Benet, Gracechurch Street, should be sold by tender; but the scheme was afterwards altered by the Ecclesiastical Commissioners, so as to sell the materials by public auction. It was to this that Archdeacon Hale took objection, and in doing so did the very duty put on him by the Act of Parliament. It was certainly a queer thing that because a man did the duty for which he was expressly inserted in an Act of Parliament, another Act of Parliament should be brought in to scratch him out of the first Act. In making these remarks he wished it to be distinctly understood that he was not an opponent of the Act for the Union of Benefices. It was an Act which he believed would be found conducive to many purposes of utility, piety, and public benefit. If the present Bill were now a genuine proposition to amend that Act, he should be willing to support it; but if, as he could not help inferring from what had passed, it was one of pains and penalties against the Venerable Archdeacon of London—a man of high character and universally respected—he should oppose the Motion. To give the right hon. Gentleman (Mr. Bouverie) an opportunity of giving more explanation on these points, he would move the adjournment of the debate.

MR. ALDERMAN ROSE said, he believed that the safeguards provided by the Act were necessary, and ought to be preserved, except some very good reason could be given for doing away with them. When he was Lord Mayor it came to his knowledge that the beautiful church which stood at the end of Lombard Street and King William Street was about to be taken down under the Act, because, as it was alleged, it stood in the way of a street improvement. An arrangement had been made with the officers of the church, and a large sum was to be paid in order that the building might be sold. That church was well filled every Sunday, and he believed there had been no intention to pull it down. The excuse made was that it was habitually empty, and the whole thing was cut and dried. It was to have been put up to auction in order that it might be converted into a post office. He, however, made it his business to call upon the parishioners, who availed themselves of the power given them under the Act of Parliament, and they gave their unanimous vote against the desecration of their church. He thought the right hon. Gentleman (Mr. Bouverie) ought to give some further explanation before he asked them to read this Bill a first time.

Mr. E. P. BOUVERIE said, he had said nothing because he had already made a statement on the subject. He had no objection to give hon. Gentlemen opposite any information on the subject of this Bill, though they seemed to be already in possession of what they asked for. Under the Act certain consents were necessary before a church could be sold. It was requisite to have the consent of the parishioners, and that had been unanimously given in this case. The consent of the patrons was required, who, in this case, were the Deans and Chapters of Canterbury and St. Paul's, and that also had heen given, as had likewise been the consent of the Bishop of London, the Archbishop of Canterbury, and that of the Secretary of State. He thought that all those safeguards very amply secured the interests of the Church and of the public. But in addition to the consents which he had just enumerated, and which had been re-acquired in the Bill as it came from the Lords, the consent of the Archdeacon was foisted into the Bill by the hon. Member for Buckingham (Mr. Hubbard) during its passage through that House. The hon. Member said he was not opposed to the Union of Benefices Bill. He had thrown every obstacle in its way. After he (Mr. Bouverie) had undergone severe labour during the whole of two Wednesdays in his endeavour to get that Bill through, the hon. Member (Mr. Hubbard) proposed that the consent of the Archdeacon should be required. Thinking it likely that the reverend gentleman would take the same view as his Bishop, the Archbishop, the Capitular Bodies, and the Secretary of State, he did not deem it worth while to divide the House on the proposal, and not wishing to fight every point to the death, in an unguarded moment he had agreed to introduce the Archdeacon. Unfortunately, the hon. Member for Buckingham was more knowing than he had been. He wanted to put a spoke in the wheel and stop the whole proceeding, and had succeeded in doing so. He hoped he was not doing an injustice to the hon. Member when he said he believed that to have been his object. In the two parishes with which it was proposed to deal by the scheme now before the House there were 805 souls, and one of the churches alone was capable of containing 800 people. The parishioners consented to the amalgamation, the main object of which was to raise a large sum of money, it was said £40,000, which could be realized by the sale of the site of a church not required for the purposes of public worship in the City. It was proposed to apply part of the money so raised to the building of a church in a populous place in the outskirts of London, where a church was much needed, and the people were in a state of spiritual destitution, and also to the erection of a residence for the clergyman in the united parishes. Removing a church was no great novelty now-a-days—the Bank of England and St. Katharine's Dock had each swallowed up the sites of old churches; but this was not to be taken for a bank or a dock, but to erect another church in a part of London where the people were in a state of spiritual destitution. That was the scheme, and all the parties interested in it, the parish, the patrons, the Bishop, the Archbishop, the Home Secretary, had all consented, and then the Archdeacon stepped in and stopped everything, because he did not approve of the sale being by public auction. The hon. Member for Buckingham had told the House that the Archdeacon objected to the church being sold by auction. He had himself no particular fancy for the sale by auction, but in such matters they must be guided by the circumstances of each case. If the hon. Member for Dundalk had been told that the Archdeacon only objected to the sale of the church by auction, he had been misinformed. The Archdeacon had had an interview with his Colleagues of the Estate Committee of the Ecclesiastical Commission and himself, and they had asked him this very question; the rev. gentleman had then stated distinctly that he objected to the principle of the Act, and declined to give his sanction to the scheme, even if it were agreed not to sell the church in that manner. Thus it was quite evident that the Archdeacon had other reasons than the one suggested by the hon. Gentleman for his opposition to the measure, and was prepared to stop all Union of Benefices under the Act. Was such a scheme, which would prove most beneficial to the parish, to the City of London, to the Church generally, and to the spiritual wants of those outside the City, to be stopped because the Archdeacon of London did not choose to approve it? Having had charge of the original Bill in that House, and knowing the opinion of its author in another House, he had no hesitation in asking the House to pass the proposed Bill, which would have the effect of allowing a very useful project to be carried out. The hon. Member for Buckingham talked of the Bill as one of pains and penalties against the Archdeacon; but he (Mr. Bouverie), in introducing it, was not proposing to drag the rev. gentleman to the stake and burn him, but merely to relieve him from a responsibility he had found inconvenient. Three years ago Parliament, without the consent of the Archdeacon, directed that his sanction should be obtained before the sale of a church could be proceeded with, and it was quite competent for the Legislature, upon further reflection, to say that in future his approbation should not be necessary in matters of the kind. Under these circumstances he trusted the House would support a measure so beneficial to the City of London and to the Church generally.

Mr. COLLINS said, he thought the right hon. Gentleman (Mr. Bouverie) must have misunderstood the Archdeacon on one point; for about a month ago, in a conversation which took place in the lobby of the House, the Archdeacon had informed him that, although the Union of Benefices Act was not a measure he should have originated, still he did not object to assist in carrying out its objects, and he would have given his sanction to the sale of the church in question provided it were not disposed of by public auction. The real question, therefore, before the House was not whether or not the sale of the church was to be stopped, but whether the name of the Archdeacon was to be expunged by the Bill merely because he differed from the other trustees and from the hon. Gentleman as to the mode in which the sale was to be effected. Personally he (the hon. Member) thought a great boon would be conferred upon the City of London by the union of the benefices, but he thought it would be preferable if the House were to take the reasonable scruples of the Archdeacon into consideration, and direct that the sale of the church should not take place by public auction, and that at least they should not take the strong measure of striking out his name.

Mr. KNINAIRD said, the Archdeacon, in his interview with the promoters of the scheme, had expressed his entire dissent from the scheme, and more particularly from the proposal for the sale by auction. After the consent of the Archbishop of Canterbury and the Bishop of London had been given to the scheme, if an insurmountable obstacle were raised which would prevent its being carried into effect it was but reasonable that Parliament should remove the impediment.

Mr. HENLEY said, they were being plunged step by step into greater difficulties. The right hon. Member who had carried the original Bill through the House had made a most extraordinary observation when he stated that one of the provisions of the Bill had been foisted into it. After that Bill had received the approval of both Houses, and had become an Act of Parliament, were they now to deal with it in accordance with the preconceived notions of the person who brought it in? Neither the right hon. Gentleman (Mr. Bouverie) nor the hon. Member who last spoke (Mr. Kinnaird) had ventured to assert that any offer had been made to the Archdeacon to carry out the scheme without the sale by auction. That would have been a very simple thing to do, and he could not understand why, when a person objected to what he considered an indecent mode of carrying out a scheme for the public good gentlemen, honestly wishing to carry it out, should not have made an offer to remove the cause of objection. Instead of adopting that most reasonable and easy course the right hon. Gentlemen had brought in the present measure for the purpose of snuffing out the Archdeacon, who had chosen to refuse his sanction to an indecent mode of carrying out a good scheme. That was not a prudent mode of effecting an object of this kind on which there was sure to be great difference of opinion. Were the present Bill carried the next thing would be that an endeavour would be made to snuff out in like manner the Archbishop of Canterbury, and then the Bishop of London, and so, one after another, by disqualifying Bills, all those whose sanction was now required, until at length somebody or other would pull the churchés down and put the money received from their sale into his own pocket. The right hon. Gentleman, instead of giving them any information relative to the Bill, had merely availed himself of the opportunity to indulge in a violent tirade against the Archdeacon and to state that some thousands of pounds would be applicable to do good elsewhere. Before bringing in a Bill upon which they had very imperfect information, it was but reasonable that the Commissioners, who had the carrying out of these matters, should put it to the Archdeacon whether he would consent to the scheme in question if the indecent mode of carrying it out were given up.

MR. AYRTON said, the original Act originated with a large number of the most influential and intelligent of the clergy of the metropolis, who thought it a scandal that there should be such a large number of richly endowed churches without congregations in the City, and he had stated at a meeting to take into consideration the spiritual destitution of the City that they had no case on which to go to the community while such a scandal existed in the metropolis. The Bishop of London, upon whom the matter was pressed by the clergy, then laid the question before the other House. It was a great misfortune that the right hon. Member (Mr. Bouverie), in his eagerness to pass the measure, should have permitted the introduction of a provision by which a subordinate functionary received power to interpose in such a manner that his veto might supersede the wish not only of his own bishop, but that of the Archbishop of Canterbury. If the Archdeacon entertained the opinion that a church once consecrated should never be devoted to any other purpose—a view which was not so generally recognized by the Church of England as by the church to which the hon. Member for Dundalk belonged—the House ought obviously to relieve him of a duty which did not harmonize with his opinions, and which he found it unpleasant to perform. It was remarkable that whenever an attempt had been made to get rid of a church in London for purposes of commerce or private profit there had never been any difficulty in the way. If a railway wanted the ground, churches, graves, and bones were got rid of with the greatest facility. This was the only occasion on which an attempt had been made to remove a church for a religious purpose, and it seemed to provoke a vast amount of animosity and opposition. In the present case, nobody was to make any money out of the removal, but spiritual wants alone were to be provided for and every possible obstacle was raised to the proposed change. There was in law a doctrine applied to property that *cujus est solum ejus est usque ad cœlum,* and he would not say how far they acted upon that doctrine who placed obstacles in the way of such sales as that to which the Bill related, and who, while priding themselves on being supporters of the Church of England, objected to a change which was in accordance with the spiritual wants of the community. It was, indeed, contended on their behalf that there would be something indelicate and indecent in selling a piece of land which was ecclesiastical property for the highest price that could be got; but, for his own part, he could not perceive the force of that objection. Seeing that the proceeds of the sale were to be applied to meeting the spiritual necessities of the poor, he thought it was desirable that they should be as large as possible, and the best way to secure that result in the City of London was to put the land up to auction. What, he should like to know, was the spiritual distinction between selling a piece of ground by auction and by private tender? He did not know which Article of the Church of England enunciated it. Looking at the matter either in a temporal or in a spiritual point of view, it appeared to him, he must confess, that what was to be sought after was the highest bidder, and he trusted refined scruples, which had really no foundation in reason, would not be allowed to interfere with the practical aim of his right hon. Friend by whom the Bill was promoted. Those hon. Members who stood so zealously by the Established Church ought, he thought, to have some faith in a Bishop and Archbishop of that Church, and ought not to discredit those high functionaries by setting up a subordinate to protest against their proceedings when they had simply sanctioned that which was reasonable and proper.

MR. LYGON said, that the Archdeacon in his letter to the Bishop of London used the following words:—"I have no objection to the taking down of the church, and disposing of the site; but there are different ways of doing the same thing." The Archdeacon did not there state that he objected to the principle of the act; on the contrary, he was ready to assent to the sale; but he disapproved of the proposal that it should take place by means of a public auction. The scheme, as prepared by the Bishop of London, was, that upon the union taking place, the Church of St. Benet should be taken down and sold by tender, and that was the proposal which was sanctioned by the Dean and Chapter of Canterbury and the Dean and Chapter of St. Paul's. When the matter came before the Ecclesiastical Commissioners, however, they took upon themselves to alter the proposal so made, and it was from them the proposal came that the church should be sold by public auction. It appeared to him that, when the principles of the Bill had been agreed upon, the Archdeacon was specially charged with the responsibility of seeing that the manner of giving effect to them was in accordance with ecclesiastical rules and precedents. In his (Mr. Lygon's) opinion the Archdeacon had exercised a very wise discretion, and there was no reason why he should on that account be deprived of the power with which he was at present invested. So far, he might add, as ecclesiastical sanction went, it was clearly in favour of having the church sold by tender.

Sir MORTON PETO said, he could assure his hon. Friend the Member for Buckingham (Mr. Hubbard) that no Nonconformist body had any intention of obtaining for itself possession of the site in question. It was true that on a former occasion he had proposed that a clause should be introduced into the Bill then before the House to the effect that the Nonconformists might secure one of the sites in question for a church whenever the Church of England was not in a position to purchase it. Perfect horror seized the hon. Member for Buckingham (Mr. Hubbard) when he made that proposal, and he believed that some fear existed in this case that the Nonconformists might be the purchasers. The Bishop of London had written asking him as a favour to withdraw the clause he had referred to, inasmuch as its insertion would peril the passing of the measure. And having mentioned the name of that right rev. Prelate he could not abstain from saying that he felt the most unbounded admiration of his career as a bishop, for, since he first came to fill the position which he now occupied with so much advantage to the Church, no man had done more to provide for the spiritual necessities of the metropolis. He entirely sympathized with the Bishop of London in the present case. The best way to obtain the largest sum for the same object was the question that evening before the House; and he, for one, was quite surprised to hear the objections made to the proposed scheme by the hon. and learned Member for Dundalk (Sir George Bowyer), seeing how frequently the sites of Roman Catholic churches abroad were turned to other than their original uses—churches which had been used for centuries as places of worship, and which contained magnificent paintings, having even been used as stables. For his own part, he hoped his right hon. Friend would persevere with the Bill. With regard to the Nonconformist body, he desired to say that they were not jealous of the progress which the Church of England might make, provided that that progress was made in the right way — namely, by simply relying on the Christian willinghood of their own people, and using the property of the Church to the best advantage.

Motion *agreed to.*

Bill to amend an Act passed in the twenty-third and twenty-fourth years of the reign of Her present Majesty, intituled "An Act to make better provision for the Union of contiguous Benefices in Cities, Towns, and Boroughs," *ordered* to be brought in by Mr. Edward Pleydell Bouverie and Mr. Goschen.

SALMON FISHERY ACT (1861) AMENDMENT.—LEAVE.—BILL ORDERED.

Mr. T. G. BARING, in moving for leave to introduce this Bill, said, it would be in the recollection of the House that the Act of 1861 was founded on the Report made in 1860 by a Royal Commission, which had been appointed to inquire into the causes of the diminution in the quantity of salmon in the different rivers of England. Those who had read the Reports of the Inspectors under that Act were aware that it had been successful to an extent which could hardly have been expected considering the short time it had been in operation. There had been a considerable increase in the salmon since that time. But while the Act of 1861 had succeeded to a very considerable extent, those who had in different localities in England taken rivers under their protection found considerable difficulty in collecting funds for the purpose of carrying out to the full the provisions of the Act. It had been suggested frequently that some amendments should be introduced into the Act, in order to give power for the formation of bodies for the protection of salmon, and to give these bodies jurisdiction over the whole of a river. Also that there should be a licence duty on rods, nets, and other engines for the capture of fish, so that means should be provided for the protection of fish during the spawning season. With this view he had at the end of last Session of Parliament laid upon the table of the House a Bill which had been during the recess circulated, and had been generally approved. The Reports of the Inspectors of Fisheries for the year 1864 contained an account of the meetings which had been held in different parts of the country, and it appeared that the concurrence of nearly all those interested in the fisheries had been given to the principles which were sought to be embodied in the Bill. Besides these two objects—the establishment of Boards of Conservancy and the furnishing them with funds by means of licence duties—there had been other suggestions made for the amendment of the Salmon Fisheries Act of 1861. A very important subject connected with salmon fisheries was that of "fixed engines." They were defined in the Act of 1861 in two separate places, but these definitions were not consistent one with the other, and a very considerable doubt had been entertained with respect to the application of the term, "fixed engine." There had been a decision upon an appeal before the Court of Queen's Bench, from which it might be inferred that a net held stationary across a river was not a fixed engine. Under the Irish Fisheries Act such a mode of fishing would be clearly illegal, and it was perfectly apparent to every gentleman that a net held across a river by men on each side, ought to be considered as a fixed engine. It was, therefore, intended to make the definition the same as that adopted in the Irish Act. It was not intended to interfere with the Act of 1861, with respect to the reservation of the ancient rights of catching salmon. The House had determined that those who had exercised these rights at the time of the passing of the Act should continue to do so; but since then it had been found that these fixed engines had greatly increased. The expense and difficulty of prosecution, was such that he thought the House would feel it necessary to take some steps in order to prevent the increased number of salmon, which had been secured by the operation of the Act of 1861, being taken by these engines. He proposed to introduce into the Bill clauses which would establish for England the same tribunal as that which existed in Ireland — namely, a Commission to inquire in every district into the legality of these fixed engines, and whether they were in use at the time of the passing of the Salmon Fisheries Act of 1861. There would be power of appeal from the decision of the Commissioners to the Court of Queen's Bench. There would be other points of minor importance connected with salmon fisheries which would be introduced in the Bill, but which it would be better to discuss in Committee. He would be sorry to conclude his short statement without expressing an opinion which he believed was shared in by all who had paid attention to the subject, that the country was greatly indebted to the Inspectors of Fisheries, Mr. Ffennell and Mr. Eden, for the great ability which they had displayed in carrying out the intentions of Parliament, and the valuable advice which they had given to all parties consulting them.

Moved, That leave be given to bring in a Bill to amend the Salmon Fishery Act (1861).—(*Mr. T. G. Baring.*)

MR. LYGON said, he wished to ask the hon. Gentleman who had just sat down how he proposed to constitute the Board of Conservancy. He quite agreed with what had been stated as to the beneficial working of the Act of 1861, but while it was desirable that Boards of Conservancy should be established, the House must bear in mind that there was another great question affecting our principal streams now under public consideration, and some comprehensive measure of legislation might be introduced, having reference to the drainage of towns into rivers, and perhaps giving powers to some public Boards to preserve them from pollution. It would, therefore, be wise to avoid imposing duties upon these Boards of Conservancy which other bodies might be appointed to carry out. It would be most inconvenient to have two public bodies having separate jurisdictions over the streams; and it might lead to similar confusion to that which we now saw in the streets of London. He concurred in what had been said as to the valuable services which had been rendered by the Inspectors of Fisheries.

MR. T. G. BARING said, the Bill which he introduced last Session fully explained the way in which these Boards would be constituted. They would be appointed at the Quarter Sessions of any county which contained a salmon river, and a joint fishery Committee would be appointed to determine the constitution of a Board of Conservancy extending over more counties than one.

Motion *agreed to.*

Bill to amend the Salmon Fishery Act, 1861, *ordered* to be brought in by Mr. BARING and Sir GEORGE GREY.

CHARITABLE TRUSTS FEES BILL.

[BILL 65.] SECOND READING.

Order for Second Reading read.

MR. THOMSON HANKEY, in moving the second reading of this Bill, said, he had no intention to wage war upon the charitable institutions of this country, or to impugn the conduct or attack in any way the character or efficiency of the Charity Commissioners, than whom no body of public officers had fulfilled their duties with greater benefit to the country. But he believed that the expenditure entailed by the working of that Commission ought not to be borne entirely out of public taxation. Those who applied to it and benefited by it should contribute. The nation at large was not interested in the business done on behalf of local charities; and it was, therefore, contrary to sound policy that the nation should bear the expense, especially as a large portion of the business which the Commission discharged was formerly transacted at great expense in the Court of Chancery. Some fees were attached to nearly every court, but on the part of the Commission no fees whatever were required upon the large business that it conducted. He quite admitted that no fees ought to be imposed which would act as a check upon persons bringing their accounts under inspection; but a great many cases of a totally different nature came before the Commissioners. Orders were made in 1,700 cases, of which a certain number were for authorizing applications to the Court of Chancery, to the County Courts, or to the courts of common law; others for the appointment and removal of trustees; some had reference to the issue of certificates for the information of the Attorney General, with a view to the institution by him of *ex officio* proceedings; and there were a great variety of other matters of a nature totally different from the mere registering of accounts of the annual working of any charity. When, therefore, the business which the Commissioners now transacted entailed, under the former system, the payment of sums amounting in some cases to £100, he did not see what injustice there would be in the establishment of a small scale of fees. The Commissioners, when he applied to them on the subject, pointed out several cases which they held to be parallel. They said that the Drainage Commissioners, the Ecclesiastical Commissioners, and the Poor Law Commissioners all discharged their duties free of any such charges. The last he could not hold to be a case in point at all, for in the duties which the Poor Law Commissioners discharged the whole country, as distinguished from any single district, was interested. He could not see why, if trustees or others wanted advice for their own guidance, and which, but for the existence of the Commissioners, they would have to obtain from their own solicitors, fees should not be payable in the granting of such information. At present the information was supplied by the Commissioners gratis. Why, he asked, should the nation be bound to pay for an advantage conferred on private individuals, those individuals escaping scot-free? It might be urged as an objection to his proposal, that any imposition of fees would have the effect of discouraging charities from freely sending in their accounts to the Commissioners; but if the principle of the Bill were approved by the House, he was willing to insert a clause limiting the fees to sums so small that they should not prove such a drawback as was anticipated. The principle for which he contended was not at variance with that on which the Commission was originally established. Lord Lyndhurst contemplated at the time that it should pay its own expenses; but some observations having been made upon this head, it was thought better not to imperil the fair trial of so great an experiment by the interposition of any pecuniary difficulties, especially as it was then believed that the expenses of the Commission would never exceed £5,000 a year. They had risen, however, to £20,000 a year; and, as the benefits of the Commission enjoyed a more extended range, the costs of working would, as the Chancellor of the Exchequer had stated in his speech in 1863, go on increasing. The Commission was doing good, but why should not the expenditure be borne by the parties who were benefited? It was to meet what he regarded as a growing evil that he asked the House to assent to this measure, which would not entail any personal charges on trustees, and which would not, he believed, lessen the real efficiency of any public charity.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Thomson Hankey.*)

Sir MORTON PETO said, he thought the hon. Member had succeeded in making out a very strong case against the Bill; for he had shown the House that the question was whether the expenses of a Government Department should be paid by the State at large, or out of charitable funds. There was a strong feeling in this country against the taxation of charities, and this was not the first time that a similar attempt had been made. In 1845, and again in 1846, Bills were introduced to establish Boards of Charitable Commissioners, and to provide for their payment by means of taxation upon charities. These Bills, however, were on each occasion successfully resisted by the great charitable interests of the country. In 1851 and 1852 similar Bills were introduced, but they met with the like fate, and the Government were at length compelled to concede that the expenses of the Charity Commission should be met out of the public Exchequer. It was not until the Government yielded to the general wish that the expenses of the Commission should be defrayed out of the public purse that the House passed a Bill sanctioning the appointment of the Commission. It was proposed by this Bill that all the former legislation on the subject should be revised. His hon. Friend should have left the Government to deal with this question, which was one of considerable importance to the charities. Being a question of taxation, it came within its province, rather than within that of a private Member. Many of them made returns of very small amount, and the tax now imposed would be practically and in the aggregate a large one, being directed against the poorest classes of the community. The expenses of the Education Department, of the Poor Law Board, and other similar Departments, were paid out of the public funds, and why should a different rule be established in the case of charities? He wished his hon. Friend had tried his hand on a more popular measure, and he trusted that the House would unanimously support him in moving that the Bill be read a second time that day six months.

Mr. SELWYN said, that having himself given notice of a similar Amendment, he had no hesitation in seconding that of the hon. Baronet. He objected to the details of the measure, to the manner in which it had been introduced, and still more to its principle. With regard to the details, a glance at the Bill would show how vague and unsatisfactory its provisions were. It was, therefore, unnecessary to trouble the House further on this point. With respect to the circumstances under which it had been introduced, the hon. Member deserved some credit for the ingenuity with which he had managed to evade the constitutional rule that no Bill to impose taxation should be introduced except by the Government. About six years ago, and during the present Parliament, he (Mr. Selwyn) brought in a measure in which he proposed to do away with the exemption from probate duty then existing in favour of estates exceeding one million, under which exemption in the case of a man who died worth £2,000,000 his representatives were not called upon to pay upon the second million, while a man who died worth £200 was called upon to pay probate duty on the second hundred. He was then told that a private Member ought not to bring in such a measure, and it was afterwards brought in and passed upon the responsibility of the Chancellor of the Exchequer. With respect to the principle of the Bill, a tax upon charities was really a tax on those who received the benefits of those charities. The present Bill did not impose a tax on the governors or trustees, but upon the poor inmates of almshouses and hospitals and other recipients of the charities. He had recently been told by a governor of one of the largest and best managed charities in the metropolis—King's College Hospital—that it was in such want of funds that the governors were unable to pay their weekly butchers' bills. Yet the hon. Member for Peterborough (Mr. Thomson Hankey) proposed to put an additional tax upon charities of that kind, at a moment, too, when the House expected to hear from the Chancellor of the Exchequer such a flourishing account of the state of the public revenue, as would enable him considerably to reduce the burdens of the country. But if the present Bill had been brought in by Her Majesty's Government he should have objected to it on principle. The very question at issue had been four times previously decided by the House—in 1845, 1846, 1851, and 1852, and that formed another reason why a private Member ought not to ask the House to reverse its repeated decisions. The Bill appeared to be founded upon the principle set forth in the speech of the Chancellor of the Exchequer on Charities in 1863, which contained two fallacies. The first was that charities enjoyed certain peculiar exemptions from taxation, while in truth the exemption was that common to poverty; the exemption enjoyed by a legacy under £20, an income of less than £100, or a house of less than £20 rent. The next fallacy was that, because some charities were useless or mischievous, and because the trustees of some other charities had been guilty of misdeeds, it was right that all charities should he mulcted. That proposal of the right hon. Gentleman signally failed, notwithstanding the eloquence and ability with which it was supported. The hon. Member for Peterborough said that the Charity Commissioners conferred benefits on these charities, and that it was, therefore, just to impose upon them a corresponding burden. Parliament had already imposed upon Charity trustees the trouble and expense of making out two copies of their accounts—one for the Commissioners and the other for the Churchwardens—and now the hon. Member wanted to impose a tax upon a tax, and sought to levy a stamp duty upon these Returns. The Act of Parliament prevented the trustees of charities from granting leases or going before the Courts of Law in certain cases without the consent of the Charity Commissioners, and now the hon. Gentleman proposed to levy a tax upon the obtaining of this leave and consent. He (Mr. Selwyn) was a Governor of the Charity of "the Sons of the Clergy." The hon. Member proposed to tax that as well as other charities; but it would not be a tax on the governors, but on the widows and orphans, who received the scanty pittance distributed by the governors. The governors acted on the opinion of their own officers, and did not want the advice of the Charity Commissioners, but they could not grant a lease for more than twenty-one years without their consent. The Bill sought to add an additional burden to this restriction, and it was, in these respects, even a worse measure than that produced by the Chancellor of the Exchequer two years ago. He thought that the feeling of the House had been sufficiently manifested against the measure, and he trusted that it would not be pressed to a division.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Morton Peto.*)

Motion made, and Question proposed, "That the word 'now' stand part of the Question."

MR. F. S. POWELL said, he concurred in the observations made in praise of the Charity Commissioners, who discharged their onerous duties most admirably. But the proceedings in the office were subject to great delay, and one of the grounds upon which he objected to the present Bill was that it would increase that delay which now formed a valid subject of complaint. He regretted that the hon. Member who introduced this Bill had not made his meaning more clear in reference to the charities which would be affected by this measure. That vagueness was not confined to mere figures, but extended to the language of the Bill itself. It was a great mistake to suppose that the charities of the country were of such a nature as justified the denuncial tion which the Chancellor of the Exchequer had employed in the now historica- speech which had been referred to. From the 11th Report of the Charity Commissioners, published last year, it appeared that the total revenues of the charities in ten counties amounted to £430,000, and of that sum upwards of £150,000 was devoted to schools. The endowed schools of the country were now suffering under great pressure in consequence of the action of the Privy Council; yet this was the time selected by the hon. Member for trying to impose a heavy burden upon them. The hon. Member for Sheffield (Mr. Hadfield) would hardly support the second reading of the Bill, seeing that there were no less than £5,200 a year belonging to Dissenting schools and chapels which would fall under the operation of the measure. Another objection to the Bill was, that it would to a great extent involve a breach of trust, because upon the faith of what had been said in that House, and believing that no great change in the law would take place, the governors of charities had vested no less than £1,634,045 in the hands of the official trustees for various purposes. For these and other reasons he hoped the House would unanimously reject the Motion for the second reading.

MR. H. A. BRUCE said, though he joined with the rest of the House in urging his hon. Friend not to press the Bill, he could not entirely concur with what had been said in opposition to it. There was much in the measure which had already received the sanction of the greatest authorities on both sides of the House. When Lord Lyndhurst was Lord Chancellor, under Sir Robert Peel, he had introduced Bills for the appointment of Commissioners, whose expenses were to be defrayed by the taxation of the charities themselves; and a Commission composed of the most eminent and competent persons expressed a decided opinion that a permanent Commission should be appointed, the expenses of which should be borne by the charities. In accordance with that recommendation a Bill was introduced by Lord Cranworth in 1851, the principle of which was somewhat similar to that of the present measure. In was a very intelligible proposition that the expenses of that which tended so much to the improvement of the charities should be borne out of the funds of the charities. But as to the question of expediency, after so many Governments had failed in their attempts to deal with the subject, and seeing that the action of the Commission had been of so much use in increasing the property of the charities and improving the application of their funds, the House would hardly consent to make any alteration in the present system unless it could be satisfied that the proposed economy would be made without danger to the improvement which was being gradually introduced into the administration of charities. Against the principle that the charities should pay for services rendered in the improvement of their property, nothing could be said; but the Bill of his hon. Friend proposed that by far the larger portion of the expenses should be borne not by the charities which might profit by the management of the Commissioners, but by those which, in accordance with the Act of Parliament, sent in returns of their balance-sheet. During the last year some 1,700 orders, dealing with the property of charities, had been issued, but no less than 14,000 returns had been sent in by the charities for the purpose of mere statistical information; so that by far the largest proportion of the cost would, by the Bill of his hon. Friend, be thrown upon the charities for supplying information to Parliament and the country. That such information should be given was of the greatest possible importance; but the effect of the Bill would be that it would cease to be afforded. Again, the machinery by which the Bill proposed to enforce the returns on which the percentages were to be levied, were the same as that now in force, which in practice was only employed in few and extreme cases. The orders sent down by the Commissioners for returns were in many cases disregarded, and it was only by an application to the Court of Chancery, and bringing the pressure of that Court to bear upon the trustees, that they could be forced to make the returns. The consequence was that out of some 50,000 charities only 14,000 sent in their returns. The principle involved in the Bill was one which would have to be dealt with by that House before long in a comprehensive spirit. He could not agree with the hon. Member for Finsbury in his estimate of the importance of these charities. No doubt many of them usefully applied the funds committed to their charge; it was equally true that a great many of them were useless, and some worse than useless. They were positively mischievous. Looking, however, at the measure as it stood, though by no means agreeing in much of the criticism which had been passed upon its details, he hoped his hon. Friend would withdraw the Bill.

Question, "That the word 'now,' stand part of the Question," put, and *negatived.*

Words *added.* Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

LOCAL GOVERNMENT SUPPLEMENTAL BILL—[BILL 58.]—COMMITTEE.

Order for Committee read.

MR. HADFIELD said, that the Bill proposed to take away an exemption in respect of rating at present enjoyed by houses of a certain small annual value in Sheffield. Two petitions had been presented against the repeal of this exemption, and though he approved the Bill generally, he thought the proper course under the General Local Government Act would be to refer the subject of this exemption and the right of the persons claiming it to a Select Committee, before whom they might be heard. He accordingly would move to this effect if the Speaker was of opinion that he could do so.

MR. SPEAKER said, that, according to the Act, the proper course was to move that the Bill petitioned against should be referred to a Select Committee.

MR. T. G. BARING said, he wished to ask the hon. Member to move, when in Committee, the omission of Sheffield from the Bill. He would then insert it in another Bill which was to contain certain opposed Orders, and which was to be introduced to-morrow, and then the question might be referred to a Select Committee.

Mr. HADFIELD declined the responsibility of moving the omission of Sheffield from the Bill. He had no objection to the principle of the Bill, which he wished should be proceeded with; what he wished was that the petitioners should have an opportunity of appealing against the application to Sheffield of the clause he had referred to.

Mr. T. G. BARING said, that the effect of opposing the going into Committee on the Bill would be to postpone all the other provisional Orders mentioned in the schedule.

Bill *considered* in Committee.

House *resumed.*

Bill *reported,* with amended Title; as amended, to be considered *To-morrow.*

SUPPLY.

Resolutions [April 24] *reported.*

Mr. LAIRD said, he wished to ask for information respecting certain Votes for shipbuilding in the Royal Yards and by contract. It was just now a question of great interest whether vessels should be built of the same size as formerly, or of a smaller class ; and he should like to know whether it was proposed to have small armour clad vessels combining great speed with the carriage of heavy guns. He was prepared to say that vessels of that kind could be built, and foreign Governments were providing themselves with vessels of 1,100 or 1,200 tons to carry the largest class of guns and steam at the rate of eleven or twelve knots. Other Governments were also preparing to provide vessels of 2,000 tons to carry two 600-pounders or four 300-pounders, steaming at the rate of twelve or thirteen knots. Vessels of that class, propelled by double screws and drawing a moderate draught of water—seventeen or eighteen feet—would run where our ships could not, and would be more formidable than anything we had. This was a subject which had excited a great deal of attention, and it was his distinct opinion that the proposition of the hon. and gallant Member for Wakefield (Sir John Hay) could really be carried out—namely, that a vessel of about 1,600 tons could be built to carry a 600-pounder gun or two 300-pounders. Four vessels of that kind, with a speed of fourteen knots per hour, might be had for the cost of one *Warrior.* They could be worked with fewer hands in proportion and at less cost to the country, and would be fit to go to any part of the world as seagoing ships. He wished to know whether anything was being done in the construction of such armour-clad vessels. It had been stated that five or six vessels were being built of wood, of the *Amazon* class, and something like the *Alabama,* and he should be glad to know the size and the speed of these vessels. The great advantage of the *Alabama* was her sailing qualities, and her capability of going for weeks at a time without the aid of steam. He hoped that the noble Lord would be able to state that these vessels would be able to carry heavy guns and keep out of the range of armour-clad vessels, or a large shell would destroy them in the same way as the *Alabama.*

Colonel SYKES said, he wished to refer to the employment of pensioners in the War Office. Many of them were men of high character and some of literary attainments. A little addition to their pensions would keep them in their status, from which they would otherwise fall, and therefore he expressed his hearty concurrence in the proposition for their employment as emanating from the War Office. It was equally politic and philanthropic.

Mr. BENTINCK said, that the noble Secretary to the Admiralty had informed the House at an early stage of the discussion of the Navy Estimates that by the end of the year the country would have thirty-nine iron-clad vessels, and he wanted to know of what, in the opinion of the Government, the future British navy was to consist, because it was generally admitted that a wooden vessel could not compete in action with an iron-clad vessel. There was a large number of vessels belonging to the navy in various parts of the world, but those ships were, by the admission of all conversant with the subject, condemned as useless, and he therefore wished to know what class of vessels the country was in future to depend on for the defence of its commerce. Did the Government contemplate any further construction of iron-sheathed vessels than that which had been already announced, so as to place the British fleet in a position to entitle it to the name of a navy ? There was another point on which he desired information. Supposing that the country possessed those vessels which were necessary, in his opinion, to make the navy such as it ought to be, where could the guns be found with which they should be armed? He was given to understand that even if a sufficient iron-clad navy existed at present the guns requisite for arming them did not exist.

LORD CLARENCE PAGET said, that it was unfortunate the hon. Member (Mr. Laird) did not appear to have heard his statement when he brought in the Navy Estimates, as he then endeavoured to state the description of ships both built and building. He understood the hon. Member to express an opinion that it was desirable to combine small tonnage, armour-plating, heavy guns, and great speed. That was the very point which, as had been stated over and over again, the Admiralty considered to be fraught with great difficulty. A vessel of small tonnage might be made of great speed by giving her fine lines; but if made of great speed her buoyancy was, of course, by so much reduced, and therefore her power to carry heavy armour-plates. It was his duty to repeat this, notwithstanding that the hon. Member stated that some foreign nations were going to build vessels of 1,000 tons, with full armour-plates, heavy guns, and with a speed of fourteen knots. [MR. LAIRD: Vessels of 2,000 tons or upwards.] Well, on the first night of the discussion on the Navy Estimates he stated that the Government hoped to build a vessel of about that tonnage on the twin-screw principle. He then said —

> "We propose to build at Pembroke an armour-plated corvette. She will be a vessel of about 3,000 tons, with a very light draught, or 16ft., and with twin screws, and we propose to make her at the water-line of a thickness of 6in. of iron and 10in. of wood, besides a ¾-inch inner skin of iron. We hope that she will be able to carry eight of these 12-ton guns."—[3 *Hansard*, clxxvii. 1158.]

If that succeeded, he asked whether anything which any foreign nation was going to build would be likely to offer a better prospect of efficiency. [MR. LAIRD: What is the speed of the vessel to be?] His impression was that he had stated it would be thirteen knots. With regard to the vessels of the *Amazon* class, which the House was aware was an improvement on the *Alabama*, he understood the hon. Member to object to their being built of wood, and to say that the *Alabama* was built for a particular purpose, and that being a good sailer, with great stowage, speed was not of so much importance.

MR. LAIRD: I said that she combined sailing and steaming qualities, so as to enable her to hold her position with other sailing vessels.

LORD CLARENCE PAGET: That was precisely what the Admiralty deemed to be necessary for their cruising vessels. Those vessels remained a considerable time absent from our ports at foreign stations; they performed a great part of their duties under sail, and it was of great importance that they should possess good sailing and stowage qualities. They proposed to arm the *Amazon* class with the 100-pounder 6½-inch rifle guns. It had not been ascertained that they could have a better gun than that for the navy; for, although the 12-ton guns would be very powerful, it was yet a question how far they would answer for seagoing cruisers. That was a matter of experiment still; and the Admiralty would be greatly to blame if they sent small ships of the *Amazon* class to sea, and put on board of them guns which they could not probably carry, and which might strain and damage them. What they were doing was done for the purposes of trial. They were giving to all the ships they built heavier guns and fewer of them; that is to say, they were reducing the number of guns in a ship and increasing their range and calibre. The vessels of which he was speaking would carry four guns on the broadside, whereas the ships built a few years ago carried nine. Nevertheless, the weight of iron thrown from the vessels with four guns would be 328lb., whereas their sister ships threw only 296lb. So, again, with respect to armour-ships. They were limiting the area of the armour-plating of their ships, but making it thicker. They might hereafter be able to place these armour-plates on a smaller class of ships; but as to what the hon. Member said about ships for foreign nations, they were always going to be beaten out of the field by some foreign nation. He had heard that story over and over again; but he was not aware that any foreign nation was much ahead of us in the construction of their ships, nor did he think they were likely to be so. He believed that this country would do as well as foreign countries in that respect.

SIR JOHN HAY said, he believed the noble Lord had expressed one or two opinions which he might venture to call heretical, and that were not in accordance with the knowledge which he himself would possess if he were outside of the Admiralty. It appeared to him that those who were in the Admiralty shut their eyes to facts which all the rest of the world knew. The vessel of 2,300 tons being built in this country for another nation, with two cupolas, each of which was made to carry a 600-pounder gun, was a vessel against which any ship in the English navy would be unfairly matched, because those 600-pounder guns on a turntable would be a more formidable armament than any we possessed. He was given to understand that the Admiralty had sent to Lisbon a very fine squadron including the *Royal Sovereign*, which had been sent to Lisbon without masts, and that she had been sent to make an experiment which would probably result in an unfavourable Report, because she would not be steadied in a sea-way by the amount of masting necessary for a vessel of that description. The noble Lord said it was intended to build vessels of the *Amazon* class with the 200-pounder broadside guns, but what the hon. Member for Birkenhead (Mr. Laird), the hon. Member for Halifax (Mr. Stansfeld), and other Members of that House had urged upon the Government was that these vessels should not be armed with broadside guns at all. They had no knowledge that the 12-ton gun could be used on the broadside principle, nor did he believe it could be used without having machinery adapted for the purpose, and that machinery would be much more easily worked on the turn-table principle. It was of the highest importance that the Admiralty should cease to rely on a principle which ought to be regarded as obsolete, and should avail itself of the mechanical ingenuity which could give them the means of carrying heavy guns at sea. He could confirm what the hon. Member for Birkenhead had said as to vessels of such a description being built in this country for foreign Powers. He wished to ask from the hon. Member for Pontefract an explanation of an item under Vote 10.

Mr. CHILDERS said, that the items in question were sums paid for armour-plates for the *Royal Alfred*, which had been altered. In a Parliamentary paper giving the details of those sums, it was stated that the cost of 460 tons of 6-in. armour for the *Royal Alfred*, at £26 17*s*. 6*d*. per ton, was £12,362 10*s*., whereas the charge for 470 tons of 4½ in. armour, supplied in 1862-3, at £35 per ton, was £16,480. The price of iron had increased.

Resolutions *agreed to.*

RAILWAY CLAUSES BILL.

On Motion of Mr. Milner Gibson, Bill for consolidating in one Act provisions frequently inserted in Acts relating to Metropolitan and other Railways, *ordered* to be brought in by Mr. Milner Gibson and Mr. Hutt.

Bill *presented*, and read 1°. [Bill 114.]

House adjourned at a quarter before Nine o'clock.

HOUSE OF COMMONS,

Wednesday, April 26, 1865.

MINUTES.]—Public Bills — *Ordered* — Local Government Supplemental (No. 3.)*

First Reading — Salmon Fishery Act (1861) Amendment * [117]; Local Government Supplemental (No. 3) * [118].

Second Reading — Inns of Court [44]; Metropolitan Toll Bridges [47].

Referred to Select Committee—Metropolitan Toll Bridges [47]; General Post Office (Additional Site) * [94].

Committee — Locomotives on Roads [63]; Local Government Supplemental (No. 2) * [108]; Police Superannuation [109]; Land Drainage Supplemental * [110].

Report — Locomotives on Roads [63]; Local Government Supplemental (No. 2) * [108]; Police Superannuation [109]; Land Drainage Supplemental * [110].

Considered as amended—Local Government Supplemental * [58].

INNS OF COURT BILL—[Bill 44.]

SECOND READING.

Order for Second Reading read.

Sir GEORGE BOWYER, in moving the second reading of the Bill, said, he wished briefly to explain the present state of the law, and the remedy which he proposed to apply to its defects. The Benchers of the Inns of Court exercised a very important jurisdiction of a criminal nature. They had a right to hear and determine complaints and charges against their own members; they had power to refuse admission to their Inn of Court to a person seeking such admission, and thereby of excluding him from a very lucrative and most important profession; they had the power, after a student had complied with all the regulations of the House, and so entitled himself to his call, to refuse upon charges against his character to call him to the Bar, thus inflicting on him very severe punishment and stigmatizing his character; they had also the power of expelling persons from their Inn of Court—a highly penal sentence. But the most important power they exercised was that of disbarring—that was to say, expelling from the legal profession barristers, even though they had the rank of Queen's Counsel. He need scarcely say what a severe punishment that was, depriving a man of the means of living by his profession, and casting a most grave stigma on his reputation. Such a jurisdiction, everybody would allow, ought to be exercised by a tribunal every way qualified to discharge such functions. Even the Judges themselves, with all the formalities of a jury and the procedure of the criminal law, often tried cases the consequences of which were not so serious as those to which he referred, and especially where persons of high standing in the profession might be disbarred. The jurisdiction in these cases was exercised by the whole body of the Benchers. He had no doubt that these gentlemen exercised their authority to the best of their ability for the purpose of administering justice properly and impartially; but he maintained that justice could not be well administered by such numerous bodies. He found that Lincoln's Inn had sixty-nine Benchers, the Inner Temple forty-five, the Middle Temple thirty-six, and Gray's Inn twenty. Cases heard before such numerous bodies as these could not be satisfactorily disposed of. In the first place, the tribunal was necessarily a shifting one. The same cases were heard by one set of Benchers on one day, and by another set of Benchers on another; so impossible was it to secure the attendance of the same Benchers on each day. The old saying of what was everybody's business was nobody's business held good there; and when they had a large body to hear and determine a case, some Members found it convenient to be present on one day and others on another. Not long ago it was shown that, in a case in which a Member of that House was concerned, on each day of the trial there was a great variation in the Court—A and B hearing it on one day, C and D the next, and so on all through the alphabet, and that some of the Benchers who determined the case were not present at all during the hearing. It was said, indeed, that the Benchers who were not present at the hearing had an opportunity of reading the shorthand writer's notes, and thus of making themselves masters of the proceedings that had taken place in their absence; but he submitted that that was not a satisfactory state of things. It would never be borne that one man on a jury should be absent from the trial, and that, having only become acquainted with the evidence by perusing the shorthand writer's notes, he should afterwards join in giving the verdict. But there were other objections to the present tribunal. One was that the Benchers, in cases of a highly penal and important nature, had no power to administer an oath, and consequently persons might go before them and tell any falsehoods they pleased without there being any remedy by a prosecution for perjury. Another was that the Benchers had no power to compel either the attendance of witnesses or the production of documents. An important case illustrating the necessity for the first of those powers occurred some years ago. Mr. Whittle Harvey was refused his call to the Bar, and his case was heard before the Benchers. Without going into the merits of the case now, it need only be stated that the Benchers determined not to call that gentleman to the Bar. The same case was afterwards brought before a Committee of that House, composed of very distinguished Members, some of whom were still alive, and that Committee came to a conclusion directly the contrary of that arrived at by the Benchers. The Committee held that Mr. Whittle Harvey was entitled to be called to the Bar, and they recorded in their Report the reason why they had come to a different conclusion from that of the Benchers—namely, because they had the power of compelling the attendance of a particular witness, whereas the Benchers had not. Again, when a charge was made against any one, the accuser went before the Benchers with his evidence and his case prepared; but the defendant must beg and request it as a favour that his witnesses would come forward on his behalf, as there was no power of compelling them to do so. Therefore the person defending himself was placed under great disadvantage, and might be subjected to very great injustice. A witness whose evidence was material to his exculpation, might decline to leave his business to attend the tribunal. Every Court ought to have the power of compelling the attendance of witnesses, and so also ought it to have the power of compelling the production of documents material to the cases before it. Being devoid of both of those powers, the Benchers were, to a great extent, an incompetent tribunal. But another power essential to the administration of justice, which the Benchers did not possess, was that of committing for contempt, and maintaining the order of their proceedings. At present any one might go before the Benchers and commit any outrage he liked, and they had no remedy but taking him before a police magistrate. During a late important investigation before an Inn of Court (the Middle Temple) a witness having got possession of a document that was before that Bench, refused to give it up. The Benchers had no remedy. All they could do was to endeavour by force to get the document from him, but it so happened that the witness was strong enough to frustrate their endeavours. The police were called in, and the result was that the judges and the parties all went before the Inspector of Police at the station in Fleet Street. He asked whether such a state of things ought to exist? If the Benchers had had the proper powers of a Court, they would have simply committed the witness to prison, and obliged him to surrender the document of which he had so irregularly obtained possession. He now came to the remedy which he proposed by this Bill, for the evils he had described. He wished to apply to the tribunal of the Benchers of the Inns of Court the principle of the statute well known as the Grenville Act. Before the passing of that Act, all cases of contested elections were tried at the Bar of that House before the Whole House. That was a shifting tribunal, without the power of administering an oath, and the business was often done in a very unsatisfactory manner. By the Grenville Act, the House had the power to appoint Election Committees for the decision of these cases, and the powers necessary for the administration of justice were given to them. He proposed to do something of the same kind in regard to the Inns of Court. He proposed that instead of cases being heard before the whole body of the Benchers, the Benchers should have power to select a judicial committee for their determination, and that such judicial committee should be armed with all the powers that belonged to a court of law—that it should be able to administer an oath, to compel the attendance of witnesses and the production of documents, and also to punish for contempt. Last year he introduced a Bill very similar to the present one; but he had sought to obviate the objections that were raised to the former measure. One of those objections was that he had made it necessary for the Benchers in every case of complaint brought before them to appoint a judicial committee to investigate and determine it. No doubt it might be inconvenient to interfere with what was called the *forum domesticum* by which the Benchers maintained due discipline among their own members; and, therefore, he proposed to leave it in the option of the Benchers to refer or not refer cases affecting discipline to a judicial committee. Therefore, in those cases they would be a sort of grand jury, deciding in the first instance whether or not the matter brought before them should be referred to the judicial committee. They would, of course, have the power of censuring members of their own society, even although they might not think that the case was sufficiently grave to undergo inquiry before the judicial committee. But he proposed that the Benchers should not be allowed to exercise the highly penal powers which he had mentioned—namely, that of refusing admission to the Inn, that of expelling from the Inn, that of refusing to call students who were entitled to their call, and, still less, that of disbarring, except through the medium of a judicial committee. The Benchers themselves would probably agree with him that that was a fair restriction. One very grave defect in the constitution of the existing tribunal was that its proceedings were invariably secret. Now, a secret tribunal was objectionable in principle, and altogether alien to the spirit of English law. When Mr. Whittle Harvey, then a distinguished Member of Parliament, had to appear before the Benchers, he was accompanied thither by twenty other Members of that House, many of them Members of great distinction, and one of whom, he believed, was the late Sir James Graham; but not one of them was allowed to be present during the proceedings. He did not mean to cast any blame on the Benchers for following a practice which they found established. There might, moreover, be cases in which it would not be right that the public should be present. His Bill, therefore, provided that if both parties concurred, the case might be heard in private; but that, unless both concurred, it should be heard in public, with all the guarantees which publicity supplied. When the measure went into Committee, he should be happy to listen to any suggestions for its improvement. He had brought forward the Bill, not in any spirit of hostility to the Inns of Court or the Benchers—far from it. He had no doubt that those gentlemen exercised their jurisdiction, such as it was, to the best of their ability, and with the intention of doing what was right. The Bill was a remedial measure. It was a Bill to enable the Benchers to do justice, to give them powers without which they could not administer justice safely and satisfactorily. The hon. and learned Baronet concluded by moving the second reading of the Bill.

MR. ROEBUCK, in seconding the Motion, said, he thought the Bill an exceedingly good one. The former attempt of his hon. and learned Friend at legislation on that subject was of a different character, and he had been quite prepared to oppose it. The present measure, however, would give such powers to the Inns of Court as they now wanted, and as would render them what they ought to be—an efficient judicial tribunal. He was glad his hon. and learned Friend had not brought any charge against the Inns of Court. He must say that if they were merely to judge of the tribunal by its effects, it had as it stood attained all the ends for which any tribunal ought to be instituted. They ought to recollect that the Bar of England was overlooked by the Inns of Court, and he appealed to the House and to the world at large, whether there was anything in the result but honour to the Inns of Court. Two classes might be referred to in support of his assertion — the Judges of England—the advocates of England. He asked his hon. and learned Friend to look the world over and pick out any body of men superior, he might almost say equal, to the Judges in this country. As Judges they were above suspicion. He did not mean to say they had always been so; but they had kept pace with the growing improvement of mankind and the advancing march of civilization, and they stood unchallengable as far as both intellect and honour were concerned. So far as regarded the first-class; then as to the advocates, he said the character of the English Bar was such that no slur could be cast on it. There was no man, however weak or humble, he might say disgraced even, who could not find among their ranks some one thoroughly honest, able, and willing to defend him. That had been the result, and they need go no further for what the Inns of Court had acomplished. But it was not sufficient to have justice done; they must have the confidence of the public mind that justice was done; and no secret tribunal, as this had properly been described, could possess the public confidence. The trials in which he had exercised his power as a Bencher of an Inn of Court had been anything but agreeable. It was a jurisdiction which every member of the Court wished to throw off his shoulders; but when they were compelled to appear in public with all the dignity of a Court, a great deal of that painful sensation would be removed, and the Inns of Court would more willingly accept accusations than they now did. The consequences of this Bill would not, therefore, be altogether so soft as his hon. and learned Friend imagined. He believed the jurisdiction would be very much more severe, and the consequences to persons charged much more painful than they were at present. It very often happened that the Inns of Court had to try accusations which were felt to be not only a scandal to the profession but most disagreeable to the public at large, and they exercised their jurisdiction with most cautious, almost timid, consideration for the feelings of all parties concerned; but when the tribunal became an open one, when it exercised all the jurisdiction of a Court of Law, every publicity being given to their proceedings, they would almost necessarily bear more severely on the accused. While he willingly seconded the Motion of his hon. and learned Friend, he must add that when the Bill came into Committee he should invite the consideration of the Attorney General to one of its clauses, by which it was provided that the Inns of Court should be allowed to choose five persons as a judicial Committee, power being reserved to the individual charged to challenge three of them. Now, that appeared an unwise thing. There were many eminent men among the Benchers; men of high character and renown would, no doubt, be selected by the Bench to act on this Committee, and it would not be agreeable to such men to be challenged. He would much rather the tribunal should consist of three chosen by the Bench, and that no power of challenge should be given. They would not sit as jurymen, but as

Judges; and in no Court in England was any man allowed to challenge his Judge. [An hon. MEMBER: Yes; in courts-martial.] Well, he really thought that courts-martial would be the last to be cited as an example of what would be proper in the administration of justice. With this exception he believed the tribunal, as it might be constituted, would conciliate the confidence of the public, and the judicial Committee, as high minded men, would administer justice honourably to all parties.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir George Bowyer.*)

MR. LOCKE said, he was not a little astonished at finding the Bill supported by his hon. and learned Friend the Member for Sheffield. It appeared to him that no case whatever had been made out in favour of the measure. Indeed, both Mover and Seconder admitted that up to the present time nothing could be better than the existing tribunal. But there might be somebody or other not satisfied with it; and to soothe the mind of that somebody, who had not yet been pointed out, they were to adopt a totally different system. Why should they refer the powers of the Benchers of the Inns of Court to a Select Committee? If he were accused before his Inn he should prefer being tried by the whole body rather than by a selected few of them. The hon. and learned Baronet saw the impropriety of this, for he gave the accused the power of objecting to more than half of the tribunal. What, then, was the use of all this? Where any man was brought up before the Benchers and stated an objection to any of their number, that Bencher invariably retired. In a case which occurred in the Inner Temple last year objection was made to more than one of the Benchers, and they retired from the inquiry. He had thought this was a permissive Bill; but it was no such thing. By the third clause nothing of importance could be done except by this judicial Committee. That clause enacted that—

> "No barrister shall be disbarred or suspended from practice, no barrister or other member of any Inn shall be expelled from such Inn, and no student shall be refused to be called to the Bar, and no person shall be refused admission as a student to any Inn of Court, except by decision of a judicial Committee elected under the provisions of this Act."

It therefore appeared that the whole powers of the Bench would necessarily devolve upon this Judicial Committee. Now, he maintained there was no necessity for this. The hon. Baronet was bound to show that there had been some want of justice, some impropriety and misconduct on the part of the Benchers of the Inns of Court. There had been no complaint, no petition from the Bar or from the public in favour of this Bill. No voice had been raised in its favour but that of the Mover and the Seconder. If it was to give satisfaction to the public, it ought to be to some section of the public that had a cause of complaint. Although his hon. and learned Friend the Member for Sheffield had been longer at the Bar than he had, and although he had been much longer a Bencher of an Inn of Court, still he believed that he (Mr. Locke) had had quite as much experience of the Bar as his hon. and learned Friend. Well, he knew what the feeling of the Bar was. He knew how matters were regulated upon circuit, and how far offences were there investigated. The proceedings on circuit had been always in accordance with the system of administration pursued by the Inns of Court. Now he did not want to see those things altered, and a new tribunal introduced, unless a very strong case could be made out for it. His hon. and learned Friend the Member for Sheffield did know something as to the general customs of the Bar, but the hon. and learned Member for Dundalk (Sir George Bowyer) had practised in a peculiar sort of court in a peculiar branch of the law, and therefore had never been thrown into contact with the general body of the Bar, had never gone the circuit, had never dined at the circuit mess, and never saw how charges made against the Members were disposed of. The hon. and learned Member had never seen that beautiful system for keeping men in order by word of mouth—not the cannon's mouth, as it would be, if the hon. and learned Member succeeded in bringing the principle of courts-martial into the Bar—the system of trusting one another, and looking to one another. They had their own circuit officers, their Attorney General, and their Solicitor General, and he was proud to say that he had had the honour to fill both of those positions. But they did not want this "dragooning" system, and trying everybody at the Bar of a Select Committee. In that House they had seen enough of Select Committees, and often had to spend day after day in correcting their proceedings. But what appeal did the Bill give from this Select Committee? [Sir GEORGE BOWYER:

The Judges.] The Judges!—the overworked fifteen Judges! — so overworked that they wanted now to appoint five more. And these overworked Judges were to sit as a Court of Appeal from all the Select Committees that might be appointed by the Inns of Court. Since he had had the honour of being a Bencher of the Inner Temple, though it was rather a stirring period, there had during eight years been only three cases; but if this Bill passed he had no doubt there would be plenty of them. He also sympathized strongly with the objection that the new tribunal would be one which certainly would not tend to the benefit of the accused. He therefore felt it his duty to move that the Bill be read a second time that day six months.

Mr. NEATE seconded the Amendment. He thought a sufficient case had not been made out by the hon. Baronet for any alteration in the constitution of the Inns of Court. The Benchers, as a body, formed a better tribunal than any Judicial Committee could be. If the subject were at all dealt with, it would be more desirable that the whole powers of the Inns of Court and the trusts reposed in or assumed by them should be inquired into in a full and comprehensive manner. He did not wish the House should in any way pledge itself, either by conferring new rights on the Inns of Court or by subjecting them to new restrictions, to recognize the expediency of continuing their powers.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Locke.*)

Question proposed, "That the word 'now' stand part of the Question."

The ATTORNEY GENERAL said, he was not inclined, as far as his own personal feeling and opinion went, to offer any objection to the second reading of this Bill; without, however, in any way committing himself as to the course he should take if it reached a later stage without amendment. At the same time he sympathized to some extent with the observation of his hon. Friend behind (Mr. Neate) that it was not altogether satisfactory to deal piecemeal with this, which was a portion of a larger and more general subject — the relation of the Inns of Court to the Bar, and the administration of justice in the country. But his hon. Friend did not appear to bear in mind what had already been done in the way of inquiry on that subject. He also felt considerable regret that the Inns of Court themselves should not have thought it desirable to take a clear and decided course in this matter in order to assist the House in coming to some definite conclusion one way or another. It would have been far more satisfactory that legislation, if desirable, should have taken place with the concurrence of these learned bodies, and with the assistance they could have brought to bear on the subject; and, on the other hand, if it were not desirable, that the House should have been informed by them of the reasons why they had come to that conclusion. It was not the fault either of the Government or of the hon. Baronet (Sir George Bowyer) that this had not been done; on two former occasions the question had been agitated, and upon one of these the hon. Baronet had at his request allowed the measure to stand over, because there was a prospect at that time of something being done by the Inns of Court, an expectation on his part which was undoubtedly well founded, so far as regarded Lincoln's Inn. He, however, ventured to impress on his hon. and learned Friend that it was not satisfactory this subject should be discussed on a Wednesday, when it was exceedingly difficult for many Members of the legal professions to make arrangements to be present, all of whom might give important information to the House. He therefore hoped, if the Bill passed its present stage, that care would be taken to fix both the Committee and third reading for days when all Members of the profession would have a full opportunity of being present. Having said this much he wished the House to bear in mind the position of this question in connection with the general inquiry which some years ago was made into the constitution and functions of the Inns of Court, and what had since been done. He owned it was not satisfactory that this matter should be divorced from other important questions relating to the same subject. In 1854 a Commission was appointed—

> "To inquire into the arrangements in the Inns of Court for promoting the study of Law and Jurisprudence, the revenues properly applicable, and the means most likely to secure a systematic and sound education for students of law, and provide satisfactory tests of fitness for admission to the Bar."—[3 *Hansard*, cxxxi. 147.]

They reported in favour of erecting or re-erecting the several Inns of Court into a great legal University, with a senate or council, elected partly by the Benchers and partly by the outer Bar, but without superseding in all respects the separate powers of the different Societies; and they expressly recommended that the Inns of Court should not be compelled to call to the Bar even those persons who had passed the examination which it was proposed to require; but that they should—

> "Retain their present powers with reference to the calling of students to the Bar, and the disbarring of persons after their call, subject to the appeal to the Judges."—[*Ibid.*]

He wished the House to understand what had since been done. They had not moved with very great rapidity; yet these learned Societies had shown, at least, a very sincere and zealous disposition to make important improvements in the direction pointed out, although they did not go so far as the Report of the Commission recommended. They had established a *bonâ fide* system of legal education, which gave advantages to the students who availed themselves of it, greater than any which prevailed at any former period; and at Lincoln's Inn the opinion of a majority of the Benchers, in a very full council, had been expressed in favour of the principle of a legal University; and he (the Attorney General) was glad to have the opportunity of stating in the House what he said at that meeting—namely, that he should be greatly rejoiced if all the Inns of Court would concur fully in the Report of that Commission. It was founded on a sound principle; he saw no solid objection to its adoption, and he thought that great public advantage might arise from it. In the hope that that might yet be done, he could not look with very great favour on piecemeal legislation, such as that proposed by the present Bill. With regard to this Bill all the hon. Baronet had said dealt with only one of four subjects comprised in it—the disbarring of barristers; that was, he admitted, a power of a penal nature; but he totally disputed the propriety of that observation as applied to the three other subjects dealt with by the Bill. They were not penal proceedings, and it was, he maintained, entirely inexpedient, unless the Inns of Court were to be abolished altogether, to supersede the authority, or interfere with the jurisdiction of the Inns of Court, as to the admission of students, as to calls to the Bar, and as to the exercise of discipline over the members of their own Societies. The case of Mr. Daniel Whittle Harvey had been referred to. He applied to one of the Inns of Court to be called to the Bar, and the Benchers, for reasons satisfactory to themselves, thought fit not to call him. They did not take from him any personal means of livelihood, or deprive him of any advantage he already possessed; but they declined to give him the new position which he asked for, and the reasons on which they had acted were, no doubt, such as they deemed satisfactory. The gentleman whom they had refused to call subsequently obtained a seat in that House, and obtained the appointment of a Committee to sit as a court of review on the judgment of the Benchers. On that Committee sat two gentlemen whose names had been mentioned—Mr. O'Connell and Sir James Graham—no doubt very distinguished men, but politicians who might have entered that Committee with minds not altogether free from a political bias. He could not therefore look on the opinion of such a tribunal as entitled to the smallest weight as opposed to that of the Benchers. Then they came to the crowning argument of a Committee consisting of twenty Members of that House bringing their whole authority to bear against the decision of the Benchers. The House of Commons in its own place had great authority, but in this matter it had really none at all. He could not therefore admit that the argument from the single case of Mr. Daniel Whittle Harvey had any force whatever. Still, however, speaking for himself, and separating the subject of disbarring from the rest, with great respect for his two hon. and learned Friends (Mr. Locke and Mr. Neate), he must say he agreed substantially with what had been said by the hon. and learned Mover and Seconder. He did not think the present constitution of the tribunal was satisfactory, or fit for the discharge of what was not undeserving the name of a criminal jurisdiction. He had himself sat when questions of a painful nature were brought before the Benchers, and he was struck by the anxious desire which every person evinced to do justice; but it was impossible to secure the uniform attendance of the same Benchers, and a difficulty arose respecting the evidence in consequence of the absence of any power to administer an oath. Without pledging himself to the clauses of the Bill, he did think, as the Inns of Court had taken no steps to deal with the subject themselves, and had not informed the House of their opinions upon this Bill, that it would be wrong not to give it a second reading.

SIR GEORGE BOWYER said, that he should be perfectly ready to consider, and if possible concur in any amendments that might be proposed in Committee by his hon. and learned Friend the Attorney General. He had referred to the case of Mr. Daniel Whittle Harvey for the purpose of showing that the Benchers could not satisfactorily administer justice without the power of compelling the attendance of witnesses. In that case a witness refused to attend before the Benchers; the Select Committee upstairs, however, compelled his attendance, heard his evidence, and recorded their opinion that probably the Benchers would have come to the same conclusion with the Committee if they had possessed the power of compelling his attendance, and had heard his testimony. The Attorney General had admitted that the Benchers were too numerous, and it was therefore difficult to secure in any case the attendance of the same Judges throughout. Admitting that no special complaint had been made against the present system, he contended there were strong arguments for some change. The hon. and learned Member for Southwark (Mr. Locke) had made a speech worthy of the days of Lord Eldon, and had used the old Tory arguments in favour of the present system. He (Sir George Bowyer) believed he had made out a case for some alteration, and he was perfectly ready to allow the Bill to go into Committee, and to take into consideration the suggestion made by the Attorney General, and he hoped his hon. and learned Friend would not press his Amendment. but allow the Bill to pass a second reading,

MR. LOCKE said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *To-morrow.*

METROPOLITAN TOLL BRIDGES BILL.

[BILL 47.] SECOND READING.

Order for Second Reading read.

MR. ALDERMAN SALOMONS moved that this Bill be read a second time. He said he was willing to have it referred to a Select Committee, and thus neutralize any meditated opposition. The advantage of increased facilities for crossing the Thames must be obvious to every one, and to no class would this improvement be more favourable than to the working people, who now find great difficulty in obtaining houses and lodgings on the north side of the river. In the course of a century, while the population had greatly increased, the habitations for the working classes had not borne a proportional increase, but there was a tendency rather to diminish accommodation for them. In fact, the people were now cramped and confined to an extent which was most undesirable. Something should be done by that House in order to facilitate the means of crossing the Thames. It was necessary to try to purchase the existing toll bridges before projecting new ones. The Bill now before the House was permissive, and would give powers to the Board of Works and the City of London to treat with the proprietors of Southwark, Waterloo, Chelsea, and other metropolitan bridges, including Deptford Creek, upon which tolls were charged. There were some bridges across the River Lea which he thought ought to be included, but there was such a difficulty in dealing with so many jurisdictions that he had not ventured to bring them within the scope of this Bill. Since the question of tolls had been discussed last year there had been some attempt on the part of the corporation of London to treat with the proprietors of Southwark Bridge, and a temporary arrangement had been made by which the tolls had been stopped, and this arrangement would last for two or three months longer; but if powers were not given to the proprietors to make a permanent agreement with the corporation of London, the inhabitants would have the mortification of seeing the toll-gates replaced. He might mention that while over the Thames there were only three free bridges, there were twenty-seven at Paris over the Seine, and many of those twenty-seven had been opened during the last few years, while over the Thames there had been no new free bridge opened for nearly a century. Since the tolls on Southwark Bridge had been removed there had been a great increase of traffic, and the working classes were very anxious that the tolls upon all bridges should be abolished, so that they might have an opportunity of obtaining free access between the north and south sides of the river. On the south side land and house-rent were cheaper, and there was more room for the increasing population of the metropolis. There was scarcely a stronger instance of the crowded state of the poor population on the north side than that which was produced in the late discussion upon the site for the new law courts, when it was shown that upon seven acres of ground there was a population of 4,200 persons—a number equal to the inhabitants of a moderate-sized town. It was the duty of that House to enlarge the area for the free circulation of the working classes as much as possible. Eleven years ago a Committee had been appointed, of which Mr. Oliveira was chairman, to consider the question of tolls on bridges, and in the subsequent year another Committee, presided over by the hon. Member for Newcastle-under-Lyne, reported upon the same subject, and both Committees were unanimously of opinion that the tolls upon the bridges should be abolished, and the accommodation for the working classes increased; but since that time nothing whatever had been done. He sincerely hoped that this Bill would lead to some practical step being taken. He believed the metropolis was rich enough to secure the accommodation required. It possessed rateable property of the value of £15,000,000, with a population of 3,000,000 daily increasing in numbers.

Mr. JACKSON seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Alderman Salomons.*)

Sir GEORGE GREY said, there could be no doubt whatever as to the desirability of the object sought to be obtained by the Bill, which was to extend as far as possible the facilities for traffic between the north and south sides of the river, and to abolish the tolls. The whole question for consideration was as to the best means by which that object could be obtained. The Government had no objection to the second reading of this Bill upon the understanding that it should be referred to a Select Committee, which would have the power of inquiring into the whole subject. He hoped from the concluding sentence of the hon. Member that the City of London would be found rich enough to effect the object of the Bill without taxing their neighbours. The Government would object to the 6th clause by which an additional duty of 1*d.* per ton was proposed to be put upon coals brought within the metropolitan district. He should be very glad to see the whole subject inquired into, and he hoped the City of London would be found rich enough to purchase the tolls.

Mr. LOCKE said, he wished to make one or two observations, inasmuch as his name was on the back of the Bill. It had been placed there simply because it was on the back of the Bill of last year, which was a very different measure from that now before the House. He was not at all pleased with the present Bill, because it proposed to tax in an especial degree his constituents, who, while they would be very well content to pay a general rate levied throughout the whole metropolis for the abolition of tolls, objected to the extra duty of 1*d.* per ton upon coals coming into the metropolis, and the special tax proposed to be laid upon those ratepayers who resided in the neighbourhood of the bridges upon which the tolls would be abolished. The Bill of last Session was pure and simple in its object—namely, the removal of the tolls by the means of a uniform rate throughout the whole of the metropolis. No objection could be taken to that, because all who lived in London would be benefited by the measure. Placing an extra duty upon coals, he contended, was very objectionable. The manufacturing interests with which he was connected, as Member for Southwark, objected to that additional coal tax, because it would place them in a still more unfavourable position as competitors with manufacturers in the country, many of whom were enabled to obtain coals at 8*s.* a ton, whereas the price paid in London was generally 23*s.* a ton. Waterloo Bridge afforded accommodation to the inhabitants of the whole of the metropolis as a means of access to the South Western Railway. Why should a special rate be thrown upon his constituents for the opening of that bridge, which came into a corner of the borough? He could not see that any particular advantage would accrue to those living at the ends of the bridges, beyond that which could arise to the metropolis generally by the adoption of any such measure as that before the House. Again, with regard to Southwark Bridge. It was to be opened in order to relieve the traffic on London Bridge, and the ratepayers complained most strongly of the proposal to levy a special tax for this object, and he had presented petitions from vestries and all the local bodies in his constituency against this extra rate. A Bill, he believed, had already passed during this Session giving the sanction of that House to the corporation of London and the Metropolitan Board of Works purchasing that bridge, and it would therefore be taken out of the present Bill. When the twelvemonths expired for which the City had made arrangements for the stoppage of the tolls, the bridge, no doubt, would be purchased by the corporation. A Bill had also been introduced with reference to Chelsea Bridge by the hon. Baronet the Member for Westminster (Sir John Shelley). Then there was Putney Bridge, for the purchase of which, by a new company, a Bill had passed that House last year, and an award had been made that the new company should pay the proprietors of the present bridge the sum of £40,000. If it were to be understood that the extra duty on coals, and the special tax on his constituents to which he had referred, should not be levied, but that it was to go to and come from the Select Committee pure and simple as the Bill of last year, he would not oppose the second reading of the Bill.

MR. AYRTON said, he had not the slightest objection to the course suggested by the Secretary for the Home Department. He believed it was the wish of the House that if the Bill passed a second reading, it would be on the understanding that they should not pledge themselves to a single clause in it. They merely desired to express a general opinion that it was extremely desirable that the tolls upon these bridges should be abolished, provided proper means were found for accomplishing that object without doing an injustice to any one. One objection to the Bill was that it was not sufficiently comprehensive. There was a bridge in the borough which he represented afflicted with such a toll that the collector felt it necessary to arm himself with a red-hot poker with the view of enforcing the money from those who might attempt to escape. Such a bridge as that ought to be included either in the present Bill or in any inquiry that might take place. Another omission was the toll upon roads. He could not discover the distinction in principle between the toll upon roads and that upon bridges. They were equally objectionable. Roads were found in the middle of London where persons had to pay a rate of toll which caused a greater obstruction to traffic than that levied on the bridges. It was desirable, therefore, that in any further inquiry into this subject, the whole question of tolls on roads and bridges should be referred to a Select Committee, in order that it should be ascertained whether any means could be devised for the purpose of relieving the metropolis from all these tolls. If the House adopted this course, he felt confident that the inquiry would lead to some practical result. He would be sorry to see any increase made on the duty upon coal, or any unjust tax levied for the object of the Bill. Both the corporation of London and the Metropolitan Board of Works had, he considered, neglected their duty with regard to tolls, because, instead of the inconvenience decreasing, it had largely increased, assisted by Private Bills. The question demanded serious consideration. He suggested that the Bill promoted by the hon. Member for Westminster should also be referred to the Select Committee.

MR. LIDDELL said, he was afraid, by assenting to the second reading, that the House would be embarking upon a dangerous course of action in regard to the question involved. It appeared to him that it might be subsequently thrown in their teeth by the promoters of this Bill that the House, in assenting to the second reading, had sanctioned a principle which they considered an important step gained. The mode of obtaining the money for carrying out the objects desired was so mixed up with the main question that it was difficult to separate them. It appeared, therefore, to him that it would be a better course to appoint a Select Committee to consider the whole question of metropolitan tolls, rather than to proceed as by this measure by piecemeal. As to the mode in which it was proposed to supply the funds which would be required in consequence of the abolition of tolls, he had to remind them that there was already levied on coal brought into the metropolis a tax of not less than 1*s.* 1*d.* a ton. The coal duty was originally imposed for the special purpose of building a coal exchange, which had been accomplished, but the tax still remained, and was now applied to metropolitan improvements. This should serve as a warning against imposing any additional tax, more especially as such a proposal was opposed to all the present principles of legislation. He had some objection to the Bill, but if the House thought that the whole question would be better considered by a Committee up-stairs he should not object to that course.

MR. JACKSON said, that the Bill fell short of the desired object. It did not embrace a sufficient area or include a sufficient number of the tolls already existing. It ought, in his opinion, to take in tolls of every description throughout the metropolitan area. A rate should be levied over the metropolitan area to purchase all these bridges, and everything else which was an impediment to free circulation in the metropolis. He presided over a Committee on this subject, and the unanimous opinion of the Committee was that a rate should be levied to buy the tolls and to improve the roads.

Sir BALDWIN LEIGHTON said, he did not see why the metropolis should not be placed on the same footing as the counties throughout England with reference to bridges, where the expense of building and maintenance was paid out of the county rate. By adopting the present Bill, though the tax of 1*d.* per ton on coals might not be a heavy one, the poor would be taxed for the advantage of the rich. It would be very desirable if the Committee would take this point of defraying the expenses by a county rate into their consideration.

Sir JOHN SHELLEY said, it was agreed on all hands that it was advisable to get rid of tolls as far as possible, whether in London or elsewhere, and the question was simply as to how the object was to be carried out. It had been agreed that this Bill should be referred to a Select Committee, on the understanding that the House should not be pledged to any of the provisions of the Bill, and the Committee would simply consider how these tolls could be done away with. He had the greatest possible objection to an extra duty being put upon coals, or a special tax upon those persons who did not go about in carriages to relieve those who did. Nothing could be more absurd than the 9th clause of the Bill, which gave the Metropolitan Board of Works power to levy a special tax upon vestries and districts in which the bridges were situated. He had presented several petitions against this proposal from the inhabitants in the Strand, and he would ask how the Strand could be supposed to be benefited more than any other district in the metropolis from the opening of Waterloo Bridge to free traffic. To put a special tax upon the Strand ratepayers for such an object would be most unjust. He agreed with the hon. Baronet opposite, that a county rate ought to be levied, if necessary, for the object of the Bill.

Motion *agreed to.*

Mr. Jackson

Bill read 2°, and *committed* to a Select Committee.

Ordered, That it be an Instruction to the Committee, to inquire into the existing Tolls on Roads and Bridges within the Metropolis, and the best means of abolishing them.—(*Mr. Ayrton.*)

And, on *Wednesday,* May 10, Select Committee *nominated* as follows:

Mr. Alderman Salomons, Mr. Cubitt, Mr. Jackson, Sir Baldwin Leighton, Mr. Ayrton, Mr. Charles Turner, Sir John Shelley, Mr. Liddell, Mr. Locke King, Mr. Stanhope, Mr. Adam, Sir William Jolliffe, Mr. Cowper, Lord John Manners, Mr. Hanbury, and Mr. Tite:—Power to send for persons, papers, and records; Five to be the quorum.

LOCOMOTIVES ON ROADS BILL.

[BILL 63.] COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Certain Sections of "Locomotives Act, 1861," repealed.)

Mr. AYRTON said, that on the introduction of the original Bill the promoters of the measure appeared to be very much in love with the Secretary of State, for in spite of his opposition to the plan the regulation of these locomotives had been lodged in the hands of the right hon. Gentleman. He wished for an explanation why the supervision of the use of locomotives on roads by the Secretary of State for the Home Department was to be dispensed with and no other provision of a similar character made. He was opposed to the Secretary of State being made supervisor of the actions of the whole of the community, and he was glad that that part of the Act had broken down. He hoped that in future no Bills brought before the House would allow the Secretary of State to exercise a similar power. He should very much like to see some provision made with reference to the exceptional condition of the metropolis, where the horse and carriage traffic was so much greater than in ordinary towns. He should like, therefore, to receive from the hon. Member who had charge of this Bill an assurance of the introduction of some special clause referring to this point. The slower these engines travelled the greater obstruction would they offer to the ordinary traffic, and he almost believed that in the metropolis a speed of ten miles an hour would be better than two, as less obstruction would ensue.

Sir GEORGE GREY said, that he desired to call the attention of the House to one clause, as the purport of the whole Bill was virtually embodied in it. By the Act of 1861 for regulating the use of locomotives on the public roads, power was given to the Secretary of State, upon representations made to him of danger and inconvenience arising therefrom, to restrict their use in any district by prohibiting their use during certain portions of the day. He was not anxious to retain that power, but he thought it ought not to be abolished without substituting some other means of control. He was not aware that this legislation had broken down, or of the grounds upon which the hon. and learned Gentleman the Member for the Tower Hamlets made that assertion. There was no law determining the hours at which these engines should run, but the power for regulating their time in different districts was intrusted to the Secretary of State. Since the passing of the former Act he had received several representations from the inhabitants of certain districts, backed by the magistrates of the petty sessions or of those districts. Those representations had been referred to the chief constables of the counties for examinations into the facts alleged in them, and though the use of these locomotives had in no instance been forbidden their employment had in several cases been restricted to certain hours—generally from ten or eleven o'clock at night until six or seven in the morning. Those restrictions, he had reason to believe, had given great satisfaction to the inhabitants of the district, though they had also led to what he regarded as a reasonable complaint on the part of the machine owners and of the agriculturists, who urged that such restrictions interfered with their operations, as the engines were required to be constantly travelling from one farm to another. At the same time it should be remembered that these engines were formidable affairs in narrow lanes. Instances of fatal accidents had occurred, and it was only when the representations had been shown to be reasonable that the order regulating the hours had been issued. He had no reason to believe that any complaint had been made of the undue exercise of the discretion vested in the Secretary of State. He should be glad to see some other mode devised by which they could provide for the safety of the public without any undue interference with the extensive use of these machines for agricultural purposes. The only restriction imposed by the Bill was that these machines should not travel faster than four miles in the country and two miles in towns. The hon. and learned Member objected to the power being vested in the Secretary of State. He (Mr. Ayrton) wished, however, that the use of these machines should be restrained in the metropolis; but if it was unsafe to use them in London, surely it was equally so in Manchester, Liverpool, Birmingham, and other large towns. He should be quite willing to resign the power that was lodged in his hands. The clause before the House, however, proposed an unconditional repeal of this power, relying simply upon the provisions contained in other portions of the measure.

MR. WYKEHAM MARTIN said, that during the last seven years locomotives had been used in the streets of Rochester and Chatham without any danger having arisen, and he had received a certificate from the municipal authorites stating that during the seven years they had been so employed no accident had occurred. They were used in the narrow streets of Rochester and Chatham, and also in what was called the "Khyber Pass," the very narrow street which connected Chatham with Rochester, and no accidents had resulted therefrom. He had continually met them in the street, and they passed his own door day after day. Horses soon became perfectly accustomed to their appearance, and were much more liable to fright on passing underneath a screened bridge with a locomotive passing overhead than they were on meeting the engines in the streets. Leamington and Warwick were both famed for hunting, which was extensively engaged in in the neighbourhood of these towns. Consequently the number of high-spirited horses was much larger in these towns than would usually be found elsewhere, and yet the continual use of locomotives had only been attended, to his knowledge, by one accident, and in that instance the locomotive was passing over a screened bridge.

MR. HENLEY moved the postponement of this clause until the remaining clauses had been disposed of. As it was merely a repealing clause he thought it better it should be postponed until they could see what they could do with the body of the Bill to give facilities for the use of these locomotives on common roads. He believed that the general wish was that as much facility as possible in the employment of these engines should be granted to the agriculturists; but it was the duty of the House at the same time to protect the public from the inconveniences which might be caused by their use. High bred horses usually would not get frightened at meeting these engines because they possessed pluck enough to go ahead without caring for anything, but the low bred horses would generally become timid on seeing the locomotives. He hoped that the hon. Member who had charge of the Bill would agree to the postponement of the clause.

Mr. HOLLAND consented.

Clause *postponed.*

Clause 2 (Imposing Rules for the manner of working Locomotives on Turnpike Roads and Highways.)

Mr. HOLLAND moved the insertion of the words "on foot." He said the effect would be that the man who accompanied the engine for the purpose of keeping a lookout would be compelled to walk, and would thus be able to perform his duty in a manner which would better secure the safety of the public.

Mr. FELLOWES said, he should be sorry to oppose so valuable a Bill as respected agricultural interests, but they had a duty to perform to the public, whose safety they had charge of. He thought that the man ought to walk some distance in advance of the engine, and that the safety of the public would not be insured by a distance of sixty yards between the attendant and the engine itself. He believed that 100 yards would be better, and he therefore moved an Amendment securing that provision.

Sir WILLIAM MILES said, he believed sixty yards to be far enough. The word "precede" would be quite sufficient. A man at the distance of 100 yards would often not be seen at all by the driver of the engine, especially near towns. It would therefore practically be of no advantage.

Mr. BENTINCK said, he was glad to perceive a disposition on the part of the House to regard with some favour the interests of the agriculturists, who as a class did not generally receive that consideration from the House to which they were entitled. He believed that the safety of the public would be best secured by the attendant walking immediately in advance of the engine instead of at so great a distance as sixty yards. He thought the words "on foot" should be retained, omitting either the "sixty yards" or the "100 yards."

Colonel SYKES said, that there appeared to be a panic with reference to the safety of the public, especially when it was borne in mind that these engines had constantly been travelling about the country for years. Horses were much more apt to take fright from seeing the heaps of stones which were usually kept at the sides of roads and the "guys" who were employed in breaking them up than they were at the sight of these engines. The locomotives generally travelled only from farm to farm, and he could not therefore see any necessity for compelling the attendant to precede the engine either by sixty or 100 yards.

Sir JOHN SHELLEY thought the attendant might as well be in the next parish as precede the engine by 100 yards. He believed it would be absurd to specify the precise distance at which the man should walk, and he should therefore move the insertion of the words "not more than sixty yards."

Amendment proposed, in page 2, line 4, to leave out the word "less," and insert the word "more."—(*Sir John Shelley.*)

Mr. JOHN HARDY said, that 100 yards was not an inch too far, as a horse and carriage driving rapidly in a narrow lane would occasionally be upon the engine before its proximity could be ascertained in sufficient time to prevent an accident. He should certainly vote for the man's preceding the engine by at least sixty yards.

Mr. WARNER said, the real security to the public lay in the liability which the owners of these engines incurred in case of accident, and that the danger arising from noise in working and other similar causes might be obviated in the manufacture of the locomotives.

Mr. D. ROBERTSON said, that the best plan would be to postpone the Bill for the present. He thought that the regulation of the locomotives should be left to the local authorities, who would best be able to determine what was necessary.

Sir EDWARD DERING said, he thought it hardly possible that the Committee could decide accurately the precise distance at which the attendant should precede the locomotive. In a straight road in the country it might be desirable that the man should be 100 yards or even more in advance, but in a town or in a narrow lane with turnings, the distance would oftentimes be curtailed with much advantage.

Mr. Henley

SIR BALDWIN LEIGHTON said, that unless the attendant were compelled to precede the engine he would, except in a town, be in all probability usually engaged in conversation with the man on the engine.

Question put, "That the word 'less' stand part of the Clause."

The Committee *divided:* — Ayes 32; Noes 90: Majority 58.

MR. FELLOWES then moved to insert 100 instead of sixty yards.

Another Amendment proposed, in same line, to leave out the word "sixty," and insert the words "one hundred."—(*Mr. Fellowes.*)

SIR GEORGE GREY said, he thought the Amendment would defeat the hon. Gentleman's object.

SIR JOHN HAY said, it would be better to leave the responsibility upon the persons in charge of engines.

Question put, "That the word 'sixty' stand part of the Clause."

The Committee *divided:*—Ayes 73; Noes 35: Majority 38.

Upon the Motion of Mr. HUNT, the following words were inserted:—

> "And shall warn the riders and drivers of horses of the approach of such locomotive."

MR. DARBY GRIFFITH proposed to add the words—

> "All superfluous steam shall be condensed in such a manner as that no steam shall blow off while the locomotive is upon the road."

MR. HOLLAND said, he thought there was no necessity for the Amendment, as there was no difficulty in rendering locomotives harmless upon roads. The protection of the public had been fully considered by those who had drawn up the Bill.

MR. DARBY GRIFFITH said, if the Committee did not accept his Amendment, he must leave the responsibility for any danger that might arise to those who opposed it.

Amendment *negatived.*

Upon the Motion of Mr. HOLLAND, the following words were added:—

> "Sixthly. Any person in charge of any such locomotive shall provide two efficient lights to be affixed conspicuously, one at each side, on the front of the same, between the hours of one hour after sunset and one hour before sunrise."

SIR GEORGE GREY said, that the House, in sanctioning the use of these locomotives under certain restrictions, should take care that they did not hamper the right of persons to bring actions for injuries sustained by them from the results of any carelessness on the part of the owners of locomotives or their servants. He, therefore, moved to add the words—

> "Provided that nothing herein contained shall affect the right of any person to recover damages in an action at law in respect of any injury or damages sustained by him in consequence of the use of such locomotive."

Amendment *agreed to.*

MR. HUNT said, he wished to call attention to the provision in the clause affixing penalties upon conviction for certain acts, but it did not appear what parties were to be liable to those penalties. It could not always be the owner of the machine, because he might send out the proper number of attendants, and one of them might neglect his duty, in which case it would be unjust to punish the owner.

SIR GEORGE GREY said, he thought the clause did require some amendment in the case suggested by the hon. Gentleman, and it should be considered before the Report.

MR. HENLEY said, he hoped the clause would be made more clear, because, as it stood, he could not tell who would be responsible for anything. As the words "not more" had been introduced, it seemed as though the men in charge of the engine should have a string round their wrist to prevent them from exceeding the limit of distance and exposing themselves to the mercies of informers.

Clause, as amended, *agreed to.*

Clause 3 *agreed to.*

Clause 4 (Size and Weight of Locomotives which may be used.)

MR. HENLEY said, he wished to call the attention of the hon. Member in charge of the Bill to the words in this clause which were different from those of the second clause. In the second clause the words "turnpike road or public highway" were used, but in the clause the words were "turnpike or other road." As a different construction would be placed upon the different words, he should propose to strike out the word "other" and insert "public highway."

Amendment *agreed to.*

MR. FELLOWES said, that as the locomotive machines might be nine feet in width, and the lanes and by-roads sometimes were not more than twelve or fourteen feet wide, any vehicle meeting such a machine in such a place would occasion a blocking up of the thoroughfare. He should propose an Amendment to the effect that locomotives should only travel upon roads twenty feet or upwards in width.

Amendment *moved.*

Mr. WYKEHAM MARTIN said, he believed that the agricultural machines now drawn by horses upon roads were wider than locomotives, and, moreover, locomotives could back out, which could not be done by horse-power.

Sir WILLIAM MILES said, the Amendment, if carried, would prevent the use of locomotives in Devonshire and Somersetshire, where narrow roads abounded.

Mr. HENLEY said, that if the engines could back so easily there ought to be something in the Bill to make it clear that they were to be the parties who were to back, and not the others.

Mr. GREENWOOD said, that though no doubt the Bill would confer a great benefit on other interests besides the agricultural interest, the House must take care that this was not done at the expense of the smaller ratepayers. In the former Bill no provision was made for meeting the increased cost of repairing the roads which would be necessitated by the passage of these heavy locomotives over them. He hoped that omission would be remedied in the present Bill. As to backing, how could one of these engines back with a train of four or five trucks behind it?

Sir EDWARD DERING said, he thought there was no doubt which would have to give way in practice; for the engine could back while the cart could not.

Mr. AYRTON said, the difficulty often occurred in London where two carts or waggons met in a narrow street which did not afford room for them to pass each other. The drivers after squabbling for more or less time, got out of the difficulty in their own way, and it might be left equally to the common sense of country carters to do the same.

Sir RAINALD KNIGHTLEY said, he must remind the hon. Gentleman that in London there was always a policeman about.

Amendment *negatived.*

Sir GEORGE GREY said, that the effect of the clause was to allow engines of nine feet width and fourteen tons weight to use the roads; but there was no express prohibition against the use of engines of greater width and weight. He proposed a provision against engines of larger size or weight being used, except upon special leave being obtained from certain authorities.

Amendment *moved* to add the words—

> "And no locomotive exceeding nine feet in width and fourteen tons in weight shall be used on any such road, except subject to the provisions contained in the third section of the said Act, as to the use of locomotives exceeding seven feet in width and twelve tons in weight."

Mr. HENLEY said, he wished to ask for information as to why engines of nine feet width and fourteen tons weight were fixed upon by the framers of the Bill. When they recollected that over many country roads there were bridges of a very weak construction, it became a matter of serious consideration whether such heavy engines should be allowed.

Amendment *agreed to.*

Mr. HUNT proposed to add a proviso making it incumbent on the drivers of locomotives to back out whenever they might meet other vehicles in a road too narrow for them to pass each other.

Mr. AYRTON said, that the proviso would only create confusion and vexation.

Mr. BENTINCK said, he hoped the hon. Gentleman would not press it.

Clause, as amended, *agreed to.*

Clause 5 (Restrictions as to the use of Steam Engines within twenty-five yards of Roads, not to apply to Locomotives used for ploughing purposes.)

Mr. FELLOWES said, that he objected to the removal of these restrictions.

Sir EDWARD DERING said, that if this clause were struck out of the Bill, it would be tantamount to depriving farmers of the use of these engines for ploughing purposes.

Sir JOHN HAY said, he thought there could be no harm in allowing these engines to be used within the prohibited distance, if the ordinary precautions were taken.

Mr. HENLEY said, that there was no safeguard whatever provided by the Bill to protect the public from danger.

Mr. DENT said, that the double engine system was now found to be the most profitable method of steam cultivation, and if this clause were not passed twenty-five yards of every field which bordered on a road would have to be left unploughed. He had often seen steam ploughs at work, but he never remembered an accident from any horse taking fright.

SIR BALDWIN LEIGHTON said, he did not see why these engines when used for ploughing should be treated with more favour than a thrashing engine, which was not allowed to be at work within twenty-five yards of the road except under a screen.

MR. HUNT said, he thought the risk of one of these engines being at work within twenty-five yards of the road was no greater than that caused by level crossings, which were now permitted all over the country. Horses, in fact, were getting more used every day to steam-engines and their noises, and were not so apt to be frightened by them.

SIR GEORGE GREY said, that that was the case, but he thought there must always be danger when an engine was at work so near the road. If the engine when it got into the field was to be fixed, why could it not be placed on the side furthest away from the road? If that could not be done with convenience, he thought the safety of the public would be best consulted by leaving the law as it at present stood.

MR. HOLLAND said, he should have no objection to add the following words to the clause:—

> "Provided a person shall be stationed in the road, and employed to signal the engine driver when it shall be necessary to stop and to assist horses and carriages drawn by horses in passing the same."

Amendment *agreed to.*

Clause *agreed to.*

Clause 6 (How Penalties may be recovered.)

MR. HENLEY said, he wished to ask what was the object of saying that the summons should be served seven days before the hearing? Ordinarily petty sessions in the country were held weekly; and the provision in question would have the effect of postponing a decision for a fortnight. Unless there was good reason for a contrary course, he hoped the clause would be omitted.

SIR GEORGE GREY said, the Bill followed the course prescribed by the Act —the Locomotives Act 1861—which it was intended to amend. The clause was unnecessary.

Clause *struck out.*

Clause 7 (Short Title of Act.)

On the Motion of Sir GEORGE GREY words added, "and 'the Locomotives Act, 1861,' and this Act, shall be construed together as one Act."

Clause 8 (Extent of Act.)

SIR GEORGE GREY said, the existing Act contained the clause (which restricted the Act to Great Britain), which it was therefore unnecessary to re-enact.

SIR COLMAN O'LOGHLEN said, he wished the provisions of the Bill to be extended to Ireland, and proposed to bring up a clause on the Report to effect that object.

Clause *negatived.*

Clause 1 (Certain Sections of "The Locomotives Act, 1861," repealed.)

MR. AYRTON said, the clause gave no control whatever over the passage of locomotive engines in large towns. He proposed that the local authorities in the metropolis, and in large cities, should have power to draw up certain rules on the subject, which should be approved by the Secretary of State. He objected to the Secretary of State issuing regulations at the instance of the police authorities.

MR. HOLLAND said, the promoters of the Bill had no objection to meet the views of the hon. and learned Member for the Tower Hamlets so far as they related to the metropolitan area, but a good deal of inconvenience might arise were engines used for agricultural purposes compelled to make a long round out of their direct course in order to avoid all the large county towns.

SIR GEORGE GREY said, the hon. and learned Member for the Tower Hamlets would lead the House to imagine that the Secretary of State never consulted any persons but the police with reference to the regulations necessary to be issued respecting locomotive engines; but the truth was that no order had ever been made in reference to them except at the request of the local authorities, backed by the magistrates of the district, and by the chief constable of the district. No order of the kind had ever been made at the sole instance of the police. He thought some provisions ought to be made for the control of those engines in large county towns as well as in the metropolis. He suggested, therefore, that the hon. Member should bring up a clause on the Report to that effect. He wished the local municipal authorities in every city and borough should have power to restrict the use of such machines as they thought fit, and to make regulations with regard to them.

SIR JOHN SHELLEY said, that such authority should be limited to towns having more than 50,000 inhabitants.

MR. DARBY GRIFFITH said, he must object to such a limitation.

MR. HOLLAND said, he would take care that the wishes of the Committee on this point should be attended to.

On the Motion of Sir COLMAN O'LOGHLEN, after the word "eleventh" the words "and fifteenth" were added.

Clause, as amended, *agreed to.*

MR. HOLLAND moved a new clause,

> "Nothing in this Act contained shall repeal, alter, or in any way affect the provisions of the 41st section of the Thames Embankment Act, 1862."

Clause *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered on *Wednesday* 10th May, and to be *printed.* [Bill 116.]

POLICE SUPERANNUATION BILL.

[BILL 109.] COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 4, inclusive, *agreed to.*

Clause 5

MR. BARING proposed to add to the end of the clause the words—

> "Provided that nothing in this Act contained shall diminish or prejudice the allowances or rights of any chief, or head-constable, or other constable, given or reserved by the 15th section of the Police Act, 1859."

MR. MOOR said, he wished to draw attention to the case of the Brighton old police, who had subscribed to the superannuation fund, and whose rights did not appear to be sufficiently protected, although they had been reserved in the General Police Act.

MR. BARING said, he thought the proviso sufficient to meet the case mentioned by the hon. Gentleman, but, if it were not, he would take care that any requisite alteration should be made.

Clause, as amended, *agreed to.*

MR. HOWES then moved that the following new clauses be added to the Bill;—

Sir George Grey

> "The liability of the police rate in counties, and of the borough fund or borough rates in boroughs, to make good any insufficiency of the superannuation fund under the eleventh section of the Police Act, 1856, or the twelfth section of the Police Act, 1859, shall commence and take effect when and as from time to time the annual income of the superannuation fund shall be insufficient to pay the charges thereon.
>
> "Any fee payable to any constable appointed for any county for the performance of any act done in the execution of his duty as such constable, shall be received in such manner as the chief constable of the county shall direct, and shall be paid over to the superannuation fund."

Where the superannuation funds had been in existence for a number of years the calls upon them were so great that a large number had been exhausted, and the whole of the charges were thrown upon the police rates. The object of the proposed clause was to avoid such exhaustion of the funds in all cases where it had not already occurred, by making the rates supply any deficiency when the annual income of the fund was exhausted, so that the *corpus* of the fund should remain intact.

MR. BARING said, that the question was one of considerable importance, and had been referred to by Major General Cartwright, one of the Inspectors of Constabulary, in his Report made during the present year to the Home Office. With that gentleman's able assistance tables had been drawn up in order to ascertain the present condition and probable exhaustion of the various county and borough superannuation funds. Forms had been circulated throughout the counties and boroughs, which when filled up and returned to the Home Office would afford valuable information on the subject. The forms when returned would be handed to Dr. Farr, who would make a Report upon them, and then the whole question was intended to be laid before a Commission to be appointed to consider the way in which the superannuation funds should be dealt with, and to recommend any alterations in the present system they might think it necessary should be adopted. He agreed in the propriety of the clauses proposed by the hon. Gentleman, but there would be considerable difficulty in carrying them out. The Bill was only intended to remedy some small defects in the existing Act, and he hoped the hon. Gentleman would rest satisfied with the answer he had given, that the matter was under the consideration of the Secretary of State, and would not press the clause.

SIR WILLIAM MILES said, that if

the public wanted a good body of police they must not object to provide for a liberal superannuation; but he advised his hon. Friend, under the circumstances, to withdraw his proposed clauses.

Mr. WHALLEY said, he wished to ask what would be the nature and object of the Committee to be appointed.

Mr. BARING stated, that the Committee, the appointment of which he recommended, would consider only the superannuation of the county, and not that of the metropolitan police.

Mr. HOWES said, he would withdraw the clause.

Clauses *withdrawn.*

House *resumed.*

Bill *reported;* as amended to be considered *To-morrow.*

LOCAL GOVERNMENT SUPPLEMENTAL (No. 3) BILL.

On Motion of Mr. Baring, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Sheffield, Bradford, Gloucester, and Stroud, *ordered* to be brought in by Mr. Baring and Sir George Grey.

Bill *presented,* and read 1°. [Bill 118.]

SALMON FISHERY ACT (1861) AMENDMENT BILL.

Bill "to amend the Salmon Fishery Act, 1861," *presented,* and read 1°. [Bill 117.]

House adjourned at half after Five o'clock.

HOUSE OF LORDS,

Thursday, April 27, 1865.

MINUTES.] — Public Bills — *First Reading* —Pilotage Order Confirmation * (67); Public Offices (Site and Approaches)* (68); India Office (Site and Approaches)* (69); Metropolitan Houseless Poor* (70).

Second Reading — District Church Tithes (45) [H.L.]

Third Reading—East India (Governor General's Powers, &c.)* (57), and *passed.*

ASSASSINATION OF PRESIDENT LINCOLN.—NOTICE.

Earl RUSSELL gave notice that on Monday next he would move—

"An humble Address to Her Majesty to express the Sorrow and Indignation of this House at the Assassination of the President of the United States; and to pray Her Majesty to communicate these Sentiments on the Part of this House to the Government of the United States."

The Earl of DERBY said, that he hoped that the noble Earl and the Government had taken pains to ascertain that there was nothing unusual—he did not say unprecedented, because the circumstances were almost unprecedented—but he hoped that the Government had taken pains to ascertain that there was nothing in the form of the Motion rendering it in the slightest degree doubtful whether a unanimous assent would be given by the House to the Motion as proposed. With regard to the substance of the Motion, he was quite certain that the expression of sorrow and indignation at the atrocious act which has been committed in the United States, would not only meet with the unanimous assent of their Lordships' House, but would represent the feeling of every man, woman, and child in Her Majesty's dominions.

Earl RUSSELL said, that the noble Earl was correct in saying that the circumstances were happily unprecedented; and he hoped that there would be nothing in the form of the Motion which would cause objection to be taken to it.

DISTRICT CHURCH TITHES BILL.

(No. 45.) SECOND READING.

The Duke of MARLBOROUGH, in moving the second reading of the Bill, said, there were two Acts of Parliament under which Peel parishes were formed, under both of which powers were taken to form separate and distinct parishes. The object of this Bill was to enable incumbents of district churches to exchange any portion of their existing endowments, whether in land or sums of money, for any tithes that might exist within the limits of those parishes. Such a provision would complete the work, and give to these new parishes a full and distinctive parochial character. The Bill gave power to rectors or vicars to agree with the incumbents of district churches for the annexation by the latter of the tithes arising in respect of property situate within the district. Such agreements, however, were not to be valid unless they were assented to, on the part of the rector or vicar, by the Archbishop or Bishop of the diocese, and, on the part of the incumbent, by the patron of the district church and the Ecclesiastical Commissioners. He also proposed that, in any case in which the tithes arising within the limits of parishes and district churches became part of the endowment of that church, the incumbent should receive the designation of rector or vicar, according as the tithes were either rectorial or vicarial. That proposal in the Bill was only prospective; but he was informed that there were a great many churches in which this exchange of tithes had taken place, and he proposed at a future stage to make this clause retrospective, so that where any tithes had been already assigned the incumbent should be designated a rector or vicar accordingly.

Bill read 2ª, and *committed* to a Committee of the Whole House on *Tuesday* next.

BRITISH SUBJECTS IN ABYSSINIA.

QUESTION.

Lord CHELMSFORD, in rising to call attention to the imprisonment and severe treatment to which a British Consul and other British subjects had been exposed by the orders of the Emperor of Abyssinia, and to ask the Secretary of State for Foreign Affairs, What steps had been taken to relieve our fellow-countrymen from the severities to which they had been subjected, and to which it was believed they were still subjected, said, that several of our fellow-countrymen had been kept in imprisonment at Gondar, exposed to the most cruel sufferings, and a general impression prevailed that these sufferings were attributable to the want of prompt and judicious measures on the part of the English Foreign Office. Mr. Plowden, the British Consul at Massowah, a few years ago was met by an overpowering body of the rebels against the Emperor of Abyssinia. He was taken prisoner, but was ransomed, and afterwards died of his wounds. In July, 1862, Captain Cameron, the new Consul, who was the bearer of certain presents sent by this Government to the Emperor of Abyssinia, met with a most flattering reception at the hands of that Sovereign, who expressed a desire that the negotiation for a treaty between the Government of Abyssinia and this country, which had fallen through in 1849, should be renewed. An autograph letter of the Emperor to Her Majesty was delivered to Captain Cameron, in November, 1862, who thereupon took steps to forward it to this country; but the Emperor being at that time engaged in war with certain rebels, the communication with the coast was cut off, and the letter did not arrive here until February, 1863. Shortly after this an invasion of the northern parts of Abyssinia by the Egyptian Government took place. Captain Cameron endeavoured to settle the dispute, but was compelled to desist from his pacific endeavours in consequence of the remonstrances of the Egyptian authorities. Captain Cameron having ceased to exert himself in favour of the Abyssinian Emperor, that Sovereign felt himself much aggrieved, especially as he had received no reply to his autograph letter to this country. Unfortunately, further cause of offence arose. In November, 1863, Mr. Stern a missionary, sent out by the London Society for Promoting Christianity among the Jews, sought an interview with the Emperor. He was accompanied by two servants as interpreters; but as they did not perform their duty to the satisfaction of the Emperor, he ordered them to be scourged, and one of them was beaten to death. Mr. Stern, in his excitement, turned away from the sight and bit his tongue; and he was thereupon ordered to be beaten, and for some time his life was in danger, and he was chained to an Abyssinian soldier. Two days afterwards, the missionaries, including several ladies, were seized and sent to a prison, where they were treated very rigorously; and all the Europeans in Abyssinia, including Captain Cameron, were loaded with chains and put in prison. The Emperor called a great council of his grandees, and before it Mr. Stern and Mr. Rosenthal, another missionary, were charged with using offensive expressions, which amounted, in the eyes of the Abyssinian law, to high treason. The Council found the prisoners guilty, and some of the grandees were of opinion that they ought to be put to death. Fortunately, milder counsels prevailed, and these unfortunate persons were ordered back to prison. As if to complicate matters just at this time a letter arrived from England, which, instead of being a reply to the Emperor's letter, simply directed Captain Cameron to return to his post and not to interfere further in the Egyptian dispute. In consequence of this neglect of Her Majesty's Government to reply to the Emperor's letter, Captain Cameron was loaded with heavier fetters, and was treated with far greater severity, and the whole of the prisoners were chained night and day to a Native soldier. Captain Cameron subsequently managed to get the following note conveyed to England:—

"Gondar, Feb. 14, 1864.

"Myself, Stern, Rosenthal, Cairns, Bardel, and M'Kiloie, are all in chains here. Flad, Staiger, Branders, and Cornelius, sent to Gaffat to work for the Emperor. No release till a civil answer to Emperor's letter arrives. Mrs. Flad, Mrs. Rosenthal, and children, all of us well. Write this to Aden and to Mrs. Stern, 16, Lincoln's Inn Fields.

"To C. Speedy, Esq., Massowah."

This letter did not reach England until May 25, 1864, and on the 3rd of June a question was put in the House of Commons to Mr. Layard the Under Secretary of State for Foreign Affairs, upon this subject; in answer to which that hon. Gentleman stated that Her Majesty's Government would, of course, do all they possibly could to obtain the release of Captain Cameron and of the missionaries, and that the most likely way would be to send some person to that country in order to get them set free; but Her Majesty's Government were afraid that any person sent for that purpose would be likely to share the fate of the Consul and the missionaries rather than succeed in obtaining their release. The question was, how to get at the Emperor without endangering the liberty of others; but he trusted that means would soon be found of communicating with the Emperor; and that the subject was under the serious consideration of the noble Lord at the head of the Foreign Office. The autograph letter of the Emperor arrived in this country in February, 1863, and remained unnoticed until June, 1864, and then what the Government did amounted to a condemnation of their own conduct. In that month a letter was prepared to be sent to the Emperor of Abyssinia; but if it was right to send a letter in June, 1864, much more necessary was it to have sent a letter shortly after the month of February, 1863. There could be no doubt that if a letter had been sent with presents and conveyed by an Englishman of some rank, the release of these unfortunate prisoners would have taken place. At last when a letter was sent the person selected to deliver it was Mr. Rassam, an Asiatic gentleman, Assistant Superintendent to the Political Agent at Aden; a man of great experience and ability, but just the sort of person who ought not to have been selected for the purpose; and the consequences which occurred were just such as might have been expected. Mr. Rassam took the autograph letter, as also one of introduction, to the Coptic Bishop. The letter of introduction he sent to the Emperor; but he received no reply, and up to March of the present year Mr. Rassam appeared to have received no reply to his intimation that he had the autograph letter. On the 17th January, 1865, a letter was received from Mr. Stern, from the prison of Amba Magdala, in Southern Abyssinia, in which he stated that sixteen months of unparalleled sufferings had rolled over him; that he was not mad, sick, or dead, but must be attributed to the interposition of a gracious Providence, and describing generally the nature of these sufferings, which had not been put an end to, although a friendly letter had arrived from the British Government. Let their Lordships, then, consider the situation of those unhappy persons during the whole of the present year. Under those circumstances, he thought that he was fairly entitled to ask why the autograph letter of the Emperor of Abyssinia, which arrived in February, 1863, was utterly disregarded until the month of June, 1864; because the omission to answer that letter might have occasioned, or, at all events, considerably aggravated the sufferings of the prisoners. He (Lord Chelmsford) could not move formally for papers, as he had not given notice for the particular documents which he wished to have laid upon the table, but he would take an early opportunity to do so.

Earl RUSSELL said, he felt a great difficulty in addressing the House on this subject, lest anything which fell from him might give offence to the King of Abyssinia and expose Consul Cameron and the other prisoners to greater hardships than they had yet suffered. He would briefly refer to the chief circumstances connected with this matter. The former Consul, Mr. Plowden, had been very well received in Abyssinia, and when he died the King paid respect to his remains. When Captain Cameron was appointed Consul he was ordered to convey presents to the King and a letter from Her Majesty thanking him for the kindness he had shown to the late Consul. But at the same time the Consul's proper place was at Massowah, and he would have returned there had he not been violently interrupted on his journey. The noble and learned Lord (Lord Chelmsford) seemed to think that when the King had written an autograph letter to the Queen it would have been a very simple matter to answer it civilly at once, and to send out some person to deliver the reply. But many difficulties stood in the way. The letter of the King of Abyssinia asked permission to send an embassy to this country. The state of Abyssinia was unsettled at that time, and it had become more unsettled since. The King complained that the Turks and Egyptians encroached on his territory, and he wanted the English and French to interfere and take part in his wars —.a course which Her Majesty's Government thought by no means desirable. It became, therefore, matter for consideration what answer should be given; and the question being one of Eastern policy, the Secretary of State for India had to be consulted before any answer was returned. It appeared that in the meantime the King of Abyssinia had taken great offence at the conduct of some missionaries. On this fact being officially communicated to Her Majesty's Government, Her Majesty was advised to forward a letter to the King, replying to certain complaints made, and expressing regret at the occasion of them. The noble and learned Lord seemed to think that Mr. Rassam was not a proper person to be charged with this duty. But Mr. Rassam was a man of considerable experience and importance in the service; and when he (Earl Russell) found that he held the office of first Assistant Secretary to the Political Resident at Aden, he thought no better person could be selected to execute this mission. Mr. Rassam was, accordingly, sent with this letter of Her Majesty, and the King of Abyssinia was informed that he was the bearer of a letter from the Queen of England. That was in August, 1864. By the last accounts it did not appear that the King of Abyssinia had actually received that letter. It was very difficult to publish the information communicated by persons residing in the territory without exposing them to considerable danger; he might, however, state that, according to the most recent information received from that country, it appeared that the chains were taken off the arms and legs of the Consul, and that he was not fastened to any other person. The King of Abyssinia had been all this time engaged in a war with some of his own people who were in rebellion against him, and with some of the neighbouring chiefs; he had left his capital in consequence of this war, and it was said that as soon as he came back he would most probably take steps to liberate the missionaries. No doubt endeavours had been frequently made to excite the mind of the King of Abyssinia against certain persons, sometimes English and sometimes French subjects. Her Majesty's Government never thought it advisable to use or threaten force in any way. The King was, in fact, told that if those prisoners were liberated no reparation would be required. There was, however, no justification for the conduct of the King of Abyssinia. Some months ago it was suggested that some person in official uniform should be employed to demand the release of the prisoners; but he (Earl Russell) must confess that he was by no means sanguine as to the efficacy of such a measure. He believed that the real grievance felt by the King of Abyssinia was the fact that no aid had been given by this country to His Majesty while he was engaged in the wars to which he had alluded. The Government of Her Majesty had used all the means in their power to procure the release of the prisoners. Some persons thought that if we sent out a magnificent mission with presents to the King, it would be the means of attaining their object and securing the respect of the people; but to him it appeared that the natural inference from such a proceeding would be that the way to obtain consideration and respect from this country would be to imprison one of our Consuls. The matter had been fully considered by the Foreign Office, but he had no further explanation to offer. He trusted that the noble and learned Lord would not move for papers, because a great deal of the information in the possession of the Government came from persons who would be exposed to danger if it were published.

House adjourned at a quarter past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, April 27, 1865.

MINUTES.]—Select Committee — On Tenure and Improvement of Land (Ireland) Act, *nominated;* On Shannon River, *appointed;* Thames River, Mr. Locke and Colonel Knox *added.*

Ways and Means — *considered in Committee*— The Financial Statement.

Public Bills — *Ordered* — Constabulary Force (Ireland) Act Amendment.

First Reading — Constabulary Force (Ireland) Act Amendment [122].

Second Reading—Writs Registration (Scotland) [The Lord Advocate] [41], *Debate Adjourned;* Local Government Supplemental (No. 3)* [118].

Referred to Select Committee—Local Government Supplemental (No. 3)* [118].

Committee — Trusts Administration (Scotland)* [92]; Lancaster Court of Chancery* [106]; Oxford University (Vinerian Foundation)* [107]; Sewage Utilization (*re-comm.*)* [105]; Mortgage Debentures (*re-comm.*)* [72]; Land Debentures (*re-comm.*)* [79].

Report—Trusts Administration (Scotland)* [92]; Lancaster Court of Chancery* [106]; Oxford University (Vinerian Foundation)* [107]; Sewage Utilization (*re-comm.*)* [105]; Mortgage Debentures (*re-comm.*)* [72]; Land Debentures (*re-comm.*)* [79].

Considered as amended—Police Superannuation* [109]; Land Debentures (Ireland)* [80].

Third Reading—Local Government Supplemental (No. 2)* [108]; Land Drainage Supplemental* [110]; Local Government Supplemental* [58], and *passed.*

UNITED STATES—ASSASSINATION OF PRESIDENT LINCOLN.—NOTICE.

SIR GEORGE GREY: Sir, in order to give this House an opportunity of expressing those feelings which I am sure every Member entertains, and which pervade the whole country, with reference to the assassination of the President of the United States, in the absence of my noble Friend at the head of the Government, I beg to give notice that on Monday next he will move a humble Address to Her Majesty, expressing the feelings of deep sorrow and indignation with which we have heard of the perpetration of that atrocious crime, and our sympathy with the Government and people of the United States, and humbly praying that in any communication which Her Majesty may make to the Government of that country of Her own sentiments she may be graciously pleased at the same time to convey a feeling of condolence on the part of this House.

NAVY—THE "ACHILLES."—QUESTION.

MR. H. BAILLIE said, he wished to ask the Secretary to the Admiralty, Whether it is true that the *Achilles*, of 6,100 tons burden, and constructed to carry forty guns, was only able to carry twenty, and those only 100-pounder Somerset guns; and, if it is so, whether he thinks that a satisfactory result of the first attempt of the Admiralty to build iron ships?

LORD CLARENCE PAGET said, in reply, that the *Achilles* was originally intended to carry fifty guns, but that that number had been reduced to twenty. When the *Achilles* was first designed it was intended to limit the armour-plating, as in the case of the *Warrior* and other of the earlier ships, to the central portion of the vessel. It was, however, found advantageous to carry the armour round the water-line but with this alteration there had, of course, been a great increase in the weight of the armour-plating. As the guns now placed on board the *Achilles* were of very much superior power to those which were at first intended, he might say, in answer to the Question put by the hon. Member, that he regarded the alteration as satisfactory.

CASE OF MARY GREEN.—QUESTION.

MR. HENNESSY said, he rose to ask the President of the Poor Law Board a Question with reference to the conduct of the Parochial Authorities in refusing medical aid to a woman named Mary Green, who died in childbirth. According to the published account of the case, the husband of the woman sent for a doctor named Butler, who had purchased the practice of a former doctor. Mr. Butler came to the house and looked around, but seeing that the people were very poor, and that he was not likely to get his fee, he left the place, recommending the people to send for the parish doctor. The man went to the workhouse at Islington, stated the case, and asked for the assistance of the parochial doctor. ["Order!"] The man was told that medical assistance would not be afforded to the woman unless he produced the marriage certificate. He then secured the services of another medical man, but by the time that the latter had arrived, the child was dead, the woman herself dying shortly afterwards. He wished, therefore, to ask, Whether it is the rule of the Poor Law Board that the medical officer shall not attend poor women under similar circumstances without the production of marriage certificates, and also, if such is the rule, whether Her Majesty's Government will take any steps to have it repealed?

MR. C. P. VILLIERS said, in reply, that he had seen the report of the case in the newspapers, but he was not yet perfectly informed as to the details; but he had already sent for the depositions taken before the Coroner, and should shortly know what had precisely occurred. As soon, however, as he saw the report, he had requested an Inspector to make inquiry at the workhouse at Islington, to know more of the matter, and though he learnt that the case was substantially as described by the hon. Member, yet it did not appear that any authorities at the workhouse had been to blame. The poor man who had applied for medical assistance for his wife was not a pauper, but an independent artizan, and he had never intended seeking relief. On the contrary, expecting his wife to be confined, he had made an arrangement with a medical man to attend her during her confinement. In the meantime, however, the doctor had sold his business to another practitioner, and with it transferred all the engagements he had contracted. When, therefore, this poor woman was taken ill, she sent for the doctor who had purchased the business, and it was true, he believed, that being struck with the apparent poverty of the people, he declined to attend her, and said it was a case for the parish. Upon which the husband went to the workhouse, and applied for medical relief, but, unfortunately, he only applied to a man standing at the gate, who was no officer, but a pauper and inmate of the workhouse, and he told the man that they would not give him medical relief unless he produced his marriage certificate; on which, unfortunately, the man went away. It so happened that the relieving officer was always at the workhouse, and his directions were to provide medical relief immediately in all cases of emergency, and in this case that relief would certainly have been provided, had he been apprized of the matter. The man, upon leaving the house, called upon another doctor, who readily went to the poor woman's assistance, but when he arrived it was too late, and shortly afterwards the poor woman died.

THE JEWS IN MOROCCO.—QUESTION.

Mr. H. B. SHERIDAN said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether it is true that the Emperor of Morocco has withdrawn the Firman, delivered last year to Sir Moses Montefiore, promising to the Jews in Morocco the security and protection of regular justice; whether any information has reached the Government of the imprisonment of twelve chiefs of the Jewish community of Tetuan, for the alleged non-payment of a Moorish guard at the gates of the Jewish quarters; and, whether any steps has been taken to ascertain whether any of the twelve chiefs were British subjects?

Mr. LAYARD said, in reply, that he had no reason to believe that the Firman delivered by the Emperor of Morocco to Sir Moses Montefiore had been withdrawn. On the contrary, he believed that the Emperor of Morocco had the strongest desire to carry out the Firman, but it was quite possible that some of the local authorities, imperfectly acquainted with the wishes of the Emperor, might have exceeded their authority. Sir Moses Montefiore, whom he had met about two days previously, had brought with him a communication from some Jews in Morocco, stating that the persons arrested had been released. He believed that the accounts which had appeared in the newspapers had been much exaggerated, and Sir Moses Montefiore expressed his satisfaction at what had been done. Frequent cases of oppression had occurred in Morocco, but, as far as he was aware, the Emperor wished in no way to depart from the Firman which he had delivered to Sir Moses Montefiore.

WAYS AND MEANS—FINANCIAL STATEMENT.

Order for Committee read.

Ways and Means *considered* in Committee.

(In the Committee.)

The CHANCELLOR of the EXCHEQUER: Mr. Dodson—There is, Sir, upon the whole, a somewhat remarkable contrast between the opening and the closing incidents of the life of the present Parliament.

Almost at the moment when the Parliament first met, we had been involved, although we did not know it at the time, in complications which were to issue in a costly and difficult war with China. The harvest of the year which succeeded proved to be the worst that had been known for half a century; the recent experience of war had led to extensive, costly and somewhat uncertain re-constructions, and although the Italian war had terminated in the summer of 1859, yet for some time afterwards clouds hung over the continent of Europe, in such a manner and degree as to occasion vague but serious alarm in the public mind. Since that period, Sir, those clouds have moved westward across the Atlantic, and have burst in a tempest perhaps the wildest that ever devastated a civilized country; a tempest of war, distinguished, indeed, on both sides by the exhibition of many most marvellous and extraordinary qualities, by valour, heroism, effort, and perseverance almost without example; of a war, I may add, which in all its tragic history has presented no scene so entirely painful as the last, that scene of murder, which at this moment causes one thrill of horror throughout Europe. But as far, Sir, as this nation is concerned, we have been mercifully spared. We have been exempt from shock and danger; we see the state of the public mind tranquil and re-assured, and the condition of the country generally prosperous and satisfactory. Moreover, the history—the financial history—of this Parliament has been a remarkable one. It has raised a larger revenue than I believe ever at any period of peace or even of war, after taking into account the changes in the value of money, was raised by taxation within an equal space of time. The expenditure of the same period has been upon a scale that has never before been reached in time of peace. The amount and variety of the changes introduced into our financial legislation have been greater than within a like number of years at any former period; and, lastly, it has enjoyed this distinction attained, I believe, by none of its predecessors within our memory—that although no Parliament ever completes the full term of its legal existence, yet, in finance, it bears the burden and wins the honour of the term of seven years, for this is the seventh annual occasion on which you have been called upon to make provision for the financial exigencies of the State.

I will now proceed, Sir, to state the figures of my case, as far as they relate to the year that has just expired. The expenditure of the year 1864-5 was estimated at the time of the Budget at £66,890,000; in the Appropriation Bill, which had not materially varied the particulars, it stood at £67,073,000; and the actual expenditure has been £66,462,000, or less than the Estimate by the sum of £611,000. The variations between the Votes and the actual results as they are represented in the Exchequer account down to March 31, are not of very great consequence so far as the army and navy are concerned, because the final accounts of the expenditure in these great Departments for the year are not yet, and will not be for a considerable time, made up. But the Miscellaneous Civil Expenditure, which was estimated at £7,638,000, has, I am glad to say, only reached £7,257,000; which may be taken as the final result for the year.

And, Sir, perhaps it may be of some interest to the Committee briefly to compare that Miscellaneous Expenditure with what it has been in former years. For the purpose of greater clearness, I add to it the other items which properly make up our Civil Expenditure—namely, first what are called the Consolidated Fund charges, which do not form the subject of annual Votes by this House; secondly, the Packet Service; and thirdly, an occasional payment made last year for the redemption of the Scheldt Toll, amounting to £174,000. The total Civil Expenditure of the country under these four heads which may be said to represent the real Civil Expenditure of the country was £10,203,000. In 1859-60 — that is to say, in the first year of the present Parliament—it was £10,820,000. Therefore, it shows a reduction of £617,000. In 1858-9, however, it had been less; it then only amounted to £10,040,000, being apparently smaller, by the sum of £163,000, than in the year that has just expired. Since, however, the expenditure of the year which has just ended was augmented by the payment of the sum of £174,000 under no ordinary head of charge, but for the special purpose of redeeming the Scheldt Toll by a capital payment, the total for 1864-5, on a fair comparison of the accounts should, perhaps, be taken at £10,027,000, or about the sum at which it stood in the last year of the preceding Parliament. So that this House of Commons is in a condition to state, at the close of the term of its existence, that the ordinary Civil Expenditure of the country, as a whole, has ceased to exhibit an increase.

If we turn our attention to the total expenditure of the country, and compare it with the expenditure of former years, in order to make the comparison a fair one it is necessary to make several changes in the figures as they appear in the annual and familiarly known accounts of the Exchequer. It is necessary, first, to add the special charge incurred under special Acts of Parliament for the erection of fortifications; it is necessary, next, to deduct all those heads of charge which, in a comparison with former years, do not appear in the first of the years that we bring together, but which do appear in the last; that is to say, the charges which swell the total alike on both sides, but which neutralize one another. All these it is requisite to withdraw in order to make a just comparison. It is necessary, also, I think, with a view to judge fairly of what we have been about, that we should bear in mind the great relief which we obtained in 1860 by the lapse of the Long and other Annuities, amounting to no less a sum than £2,149,000. Further, if we are to take what I may term the true expenditure of the country, we must likewise, besides the other changes which I have named, restore the sums commonly known as excesses, which are brought to account in years later than those to which they belong, to the accounts of their own proper years. When thus rectified, the expenditure of the last year — 1864-5 — will be found to be, without fortifications, £66,462,000, and with them £67,082,000; but after deduction of the heads which now appear on both sides of the account, and which at a former period appeared on neither—charges which amount to not less than £1,125,000 — the corrected or adjusted total will amount to £65,957,000. The expenditure of the first year of the Parliament — namely, 1859-60, amounts, when rectified in the same manner, to £67,471,000:—so that there has been a reduction since the year 1859-60, without charging 1859-60 with the sums paid on account of the Annuities then about to expire, of in round numbers one million and a half, or more precisely of £1,514,000. If we turn to the year 1860-1, which was the year of our highest expenditure, we show undoubtedly a very large decrease—a decrease amounting to £6,547,000. If, however, we look to the year 1858-9, the year before the extensive operations connected with the military and naval departments commenced, then we arrive at a different result; and instead of showing a reduction such as that I have named, or indeed any reduction at all, we find an increase of expenditure, amounting to nearly three millions and a half, or, in exact figures, £3,442,000. And if we recede one stage further — that is to say, to the very different scale of expenditure which prevailed before the Russian War—we then find, on comparing the expenditure of that period with that of the year which has just elapsed, that the total increase that has taken place in the annual charges of the country amounts to £12,459,000, or very nearly twelve and a half millions. In this statement, however, I relieve the year 1853 (as I had relieved the subsequent years), of the sum of £2,149,000 which it actually paid on account of the Long Annuities since expired. If that sum is taken into our account as part of the charge of 1853, then it stands at £55,647,000, and the increase at £10,310,000. But the former and less favourable is also, though not exactly just, the more nearly just mode of statement. If we wish to come more nearly to the mark, we may safely state that the real increase of the public expenditure as between 1853 and 1864-5, at ten millions. Such then, Sir, is the state of the expenditure as compared with what it has been in former years, both in the Civil branch alone, and likewise when it is regarded as a whole; and I venture to say, speaking in a country of popular institutions, that although the expenditure of the period has been a large one, and though variety of opinion may prevail respecting its character, one thing at least appears to me undeniable. I do not believe that there has been any period of our history when the expenditure, whether small or great, has been more entirely in consonance with the general views, wishes, and feelings of the nation at large.

Sir, I come now to close the account for the year by comparing its expenditure with its Revenue; a very simple and very satisfactory operation. The expenditure, according to the Exchequer account, made up to March 31, 1865, was £66,462,000, and the Revenue for the year ending on the same day was £70,313,000, showing a surplus of Revenue over expenditure, according to the usual and established method of statement, of £3,851,000. If, however, we take into view—as we ought, perhaps, to take into view, and as the sheet I have laid on the table does take into the account—the expenditure on fortifications, provided for in a special and separate manner by Parliamentary annuities, we must then add the sum of £620,000 to the expenditure, which would raise the amount to £67,082,000; and after deducting that larger sum from the Revenue as I stated it, the surplus of Revenue over charge upon the least favourable showing still amounts to £3,231,000.

Now, Sir, passing onwards to another branch of the subject, and comparing the Revenue with the Estimates of the year, the result is also satisfactory. The Revenue, as estimated on the 7th of April, 1864, was

£67,128,000. The actual Revenue has been not less than £70,313,000, showing a surplus beyond the Estimate of £3,185,000. And that surplus extends, I may venture to say, to every material head of the Revenue. It extends even to the Miscellaneous Receipts; but the difference on that head has little to do with the actual condition of the country. It runs all through the really important heads of Customs, Excise, Stamps, Taxes, Income Tax, and Post Office. The most remarkable of these augmentations of Revenue, as compared with the Estimate, are those which have taken place in the department of Customs, and in the branch of the Excise. The augmentation in the case of the Customs is no less than £752,000 over the Estimate. But in the case of the Excise the excess has reached the large amount of £1,538,000. In the instance of the Customs there has been a very general increase on the several articles of the tariff; and the only important instance of decrease has been one upon which I, for one, always look upon with great satisfaction—I mean the duty received on the import of foreign corn. The decrease of the Revenue from foreign corn, which is the test of the goodness and abundance of the home supply—the decrease on the year just expired, as compared with the preceding year, is no less than £184,000. The wine duty has increased by £75,000; and the experience we have now had of the working of the new system of wine duties would appear sufficient to prove that there is a tendency to a pretty steady increase from year to year. But the most important item, and the one in which the greatest interest will be felt, is the article of sugar, on which Parliament operated by the legislation of last year. The legislation of last year was calculated to give the consumers of sugar a relief to the extent of £1,719,000. That relief, partially compensated by the recovery, it was calculated would entail upon the Exchequer for the year a loss of £1,330,000. But the circumstances have been favourable. The prices of sugar in bond have fallen in combination with the operation of the reduced duty, and hence it has come about that the actual loss to the Exchequer has only been £926,000; a result showing a recovery of no less than £404,000 beyond the recovery on which I had calculated in the Estimate of last year.

If next we look to the remarkable case of the Excise, the Committee will, doubtless, have been struck with the large excess of receipts over the Estimate. That excess is more than £1,500,000 beyond the estimated sum. Now it is well that the Committee should always bear in mind that a new element of uncertainty has recently been introduced into the Estimates of Revenue from the Excise, as a result of the change which, for a very important purpose, has been made—I mean the shortening of the malt credits, and the collection of the duty on malt within a less period after the charge has been incurred than at former times. Before this change was made, nearly the whole revenue from the malting of each year came to credit in the year following; and thus when the estimate was made the charge had in the main been already fixed. But the alteration has had the effect of including within the receipt of the current year a large portion of the Revenue accruing from the malting of the year, and therefore of subjecting the Estimate of the Revenue to a portion of the uncertainty attendant on the goodness or badness of the harvest, and the fitness of the barley for the production of malt. The excess of a million and a half under the head of Excise, to which I have just referred, may be accounted for under three heads. First, the general prosperity has led to a general increase of the items included under the head of Excise; but the two important items, in which the mass of the increase has occurred, are malt and spirits; I mean, of course, spirits of home manufacture. Malt was estimated to produce £5,800,000; it has yielded £6,377,000, or an excess of £577,000 beyond the Estimate. British spirits were estimated at £9,650,000; they have yielded £10,173,000, a sum showing an increase beyond the Estimate of £523,000. While such is the increase of the receipt from the spirit duty over the Estimate, the augmentation over the receipt of the preceding year is £432,000, under the head of British spirits, and £309,000 under the head of spirits imported from abroad; making together a total increase in the receipts under the heads of Excise and Customs jointly from the article of spirits, of £741,000 within the year 1864-5, as compared with the preceding year.

Now, looking to the comparison between the Revenue of the year and that of the preceding year, I must state that we had estimated for a diminution by the sum of £3,080,000. But in lieu of that loss we have a small gain, which, according as it is stated, may be put at either £105,000 or £147,000 in favour of 1864-5 as compared with last year. It is £105,000 as it appears in the Exchequer accounts; it is £147,000, if we deduct the two last heads of miscellaneous and occasional receipts, which it may, on the whole, be best to exclude from a comparison of years, as the items are, to a great extent, casual in their nature. This increase is not, when viewed by itself, very material or significant; but it is both material and significant when we recollect that it is contemporaneous with a large reduction of the taxes by which the Revenue is supplied. And this leads me to a topic which is, in my judgment, of very great interest, which I am desirous to bring under the notice of the Committee, inasmuch as it has a wide and important bearing on the question of national power and resource; I mean the gradual growth which has taken place at recent but various periods in the Revenue of the country. It is, I admit, a matter which cannot be stated with mathematical precision, inasmuch as the statements that are made in the Tables of the Board of Trade with regard to the gain from new taxes, and the loss from the repeal of old ones, partake in a certain degree of the nature of an Estimate, rather than of the nature of an account. Still, I do not think, in comparing one period with another, that if due pains are taken there is any great cause to apprehend serious mistake; and, for the information of the Committee, I have endeavoured to estimate, in a manner which cannot involve substantial error, the annual rate of the growth of the Revenue of the country at three periods. I begin with the year 1840 and I come down to 1852, the year immediately preceding the difficulties with Russia, and the outbreak of the Russian war, which occurred before the next financial year was closed. Now, the mode I adopt is as follows:—I take the Revenue of the first year of each period, compare it with the Revenue of the last, and find the difference between them; then I take the amount of taxes repealed and the taxes imposed, and find the difference between these two; adding the balance of taxes repealed to the actual improvement in the Revenue, I find the true measure of the virtual or real improvement of the Revenue. For, supposing the sources to have continued the same, this, and none other than this, is the true fiscal measure of the progress of the productive power of the country.

Between the years 1840 and 1852 there were imposed taxes to the amount of £6,285,793, and there were taxes reduced and repealed to the amount of £13,597,858. The balance of taxes reduced over taxes imposed was accordingly £7,312,065. During the same period of twelve years the Revenue, after deducting the item of Miscellaneous Receipt in each case, showed an improvement of £5,051,026. Adding these two items together, we obtain the sum of £12,363,091, and it thus appears that during that period—from 1840 to 1852—the Revenue of the country, presuming the sources to have remained the same, really grew at the rate more or less of £1,030,000 a year.

I next proceed to the period which includes the Russian war, and I stop before that considerable increase of our expenditure which took place in 1859. It is the period from 1853 to 1859. I will not trouble the Committee with all the details; but I must state that in this case, owing to a change in the method of account, I am obliged to include the fraction of a year. The period is one of six years and a quarter, but for this fraction due allowance is made in the reckoning, so that the result is not disturbed. I must add that some of the estimates of taxes imposed or removed are, in the case of this second period, less definite and more doubtful. With these explanations I proceed. The balance of taxes repealed in that period over taxes imposed is very small—only about £1,000,000. The improvement in the Revenue was between £6,000,000 and £7,000,000. As nearly as the calculation can be made, that sum would mark for the period from 1853 to 1859, an average annual growth in the income of the country from the same sources of £1,240,000; instead of £1,030,000, which was the amount we found for the first period.

And now I arrive at the third and last period—from 1859 to 1865—the time at which I have the honour of addressing the Committee, and a period during which very large changes have taken place. The taxes imposed have been £7,383,000. The taxes removed have been £13,520,000, so that the balance of taxes repealed over taxes imposed in that period amounts to £6,137,000; to this amount we must add £1,100,000 of taxation repealed in 1858, but of which the effect was postponed to the year 1859-60, and we must, on the other hand, deduct from it certain taxes, which were repealed in 1864, but the repeal of which will only take effect in 1865-6. We thus find the real and true balance of taxes repealed over taxes imposed may be taken, with sufficient accuracy for the present purpose, at £6,713,000. During the same time, the increase of the Revenue has been £3,968,000; we thus obtain a total of £10,681,000, and, dividing this sum among the six years, we arrive at the remarkable result that the rate of annual growth in the income of the country from the same sources, which had been for the first period £1,030,000, and for the second period £1,240,000, was for the third period £1,780,000.

Now, Sir, having represented a state of things which is evidently satisfactory, as bearing testimony to the increasing power and vigour of the country, I must, of course, remind the Committee that this annual growth is not a growth which can at any time be safely relied upon prospectively for a single year; because, at any time, not only calamities of a rarer kind, but the ordinary calamity of a bad harvest, might either greatly reduce the improvement for the season, or even cause it to disappear altogether.

I have next, Sir, to state briefly to the Committee the condition of the Public Balances. On the 31st of March, 1864, they amounted to £7,352,000, and on the same day in 1865 they were £7,690,000, showing an increase of £338,000. The account for advances and repayments in respect to Public Works, which has usually contributed to feed the balances, has during the present year, from causes which will soon cease to operate, and especially from the effect of the Lancashire Loan—acted as a drain upon them. The advances made were £2,069,000, and the repayments £1,706,000, showing an excess of advances over repayments amounting to £303,000.

I will next glance at our operations with respect to the Public Debt. The amount of debt paid off in the year has been as follows: of Exchequer Bonds, £300,000; of Exchequer Bills, £2,100,000; and of Stock purchased with surplus Revenue, £939,000; making a total of £3,338,000. During the year we have also liquidated debt to a further extent of £2,006,000, either by the acquisition of stock in other modes, or through the medium of Terminable Annuities. We thus arrive at a total of £5,340,000. On the other hand, we ought to make a deduction of the amount raised for fortifications, which has been £726,000; so that we have only effected a real reduction of debt to the extent of £4,614,000. I will now attempt to state to the Committee what is the real condition of our debt as a whole. And here I have to take, in a certain degree, blame to myself—although I share it with those who have gone before me—for never having on previous occasions stated, with the same approach to precision as I shall now do it, the absolute amount of the Public Debt. We are obliged, in fact, to the Statistical Department of the Board of Trade for having recently adopted a very simple but effectual method of showing the full amount of the National Debt. Our ordinary practice had been, in estimating the capital charge, to look to the Funded and the Unfunded Debt alone, and to make no allowance for the very heavy capital sums which we have been liable to pay prospectively in the form of Terminable Annuities. These annuities, I need hardly remind the Committee, represent partly a payment of interest on capital, partly a re-payment, from year to year, of portions of the capital itself. In the statement of the Debt now presented by the Board of Trade from year to year in the "Statistical Tables," there is included a valuation of the full capital amount of such Terminable Annuities as we still have to pay. I have before me that full account brought down to the 31st of March. Of course, the effect of this more full elucidation of the case is, as commonly happens, that our Debt is somewhat larger in amount than we have commonly believed it to be; in order to make a just comparison of the total Debt of the country, as it now stands with any former year, we must take care not only to reckon the particulars of the Funded and Unfunded Debt, but also the capital value of the Terminable Annuities, as it stood at each period respectively. This must be carefully borne in mind before comparing the statement of the Debt, as I shall now give it, with any current statement of it taken from the accounts for any of the years before the capital value of the Terminable Annuities was included in the computation. With this explanation, by way of caution, I may state that on March 31, 1859, our total

Debt was £823,934,000, and on March 31, 1865, it was £808,288,000, showing that since March 31, 1859, there has been a diminution of debt to the extent of £17,646,000, or nearly, upon an average, £3,000,000 a year. The estimated capital of Terminable Annuities was in March, 1859, £18,856,000, and in March, 1865, that amount had risen to £21,778,000; so that, if I had adopted the old method of statement, I should have placed the capital of the Debt for 1859 at £805,078,000, and for 1865 at £786,510,000. But, after debiting the account of 1865 with the augmentation in the capital value of the Terminable Annuities, and giving credit for the reduction of the Funded Debt, which is considerable — some £11,000,000 — and for the reduction of the Unfunded Debt —about £7,500,000—the result is that the total reduction is not very far short of £18,000,000. This, Sir, is a sum which may sound, and does sound, well; but, at the same time, I cannot say that it is a very brilliant result of our labours to find that £3,000,000 a year are taken from the total of our Debt, considering the enormous amount of that Debt, and the difficulties in which we might possibly be involved from the burden of it if we were ever again to be engaged in a struggle for existence. Nor am I able to boast that, as a legislative and deliberative body, we have as yet risen to a sense of the full extent of our obligations with respect to the reduction of the public Debt.

Now, Sir, when I turn from the Revenue of the last year to the movement of our trade, there is but one among the particular branches of trade upon which I need trouble the Committee with any remarks; and they will be very short. It is a trade in which this House has felt a peculiar, a natural, and a continuing interest. I will, therefore, just refer to the condition of the paper trade. I am very far from denying, on the contrary, I know and I greatly deplore it, that the period of transition, following on the repeal of the duties on paper has been for many members of that trade a period of very great severity. Of that I make no doubt whatever. At the same time it is no more than the truth to say that the paper trade, as a whole, not only has not left the country, according to prediction, but it shows no intention whatever of leaving the country; on the contrary, it evidently means to strike its roots deeper and deeper here, for it calls continually from year to year for the importation of materials in larger quantity from abroad, while, at the same time, the consumers of paper in this country are supplied with that valuable commodity more largely and more cheaply than at any former period. The importations of paper and paperhangings from abroad have risen from the insignificant amount at which they stood six years ago to no less than £477,000 in value for the year 1864; while, at the same time, the importation of materials for paper-making in this country rose from 13,700 tons in 1859 to 20,400 tons in 1862, the year after the repeal, to 44,000 tons in 1863, and to 67,000 tons in 1864.

The Chancellor of the Exchequer

The Committee will not fail to observe that this progressive augmentation cannot be accounted for by the disappearance of cotton-waste, because for the last year or two, at any rate, the supply of cotton-waste has been tending rather to increase. It was in 1861 and 1862 that the supply of cotton-waste was at the lowest; but, while the supply of that material from our manufactures has been somewhat reviving, here is a continually extending increase in the importation of other paper-making materials from abroad. [An hon. MEMBER: Rags!] Rags are included in my statement; but I do not distinguish between rags and other materials for paper-making, of which there are a great variety. No doubt rags only form a small portion of the whole; raw vegetable products represent by far the largest part of the imports. But, surely, the fact I have stated is a remarkable fact. And, further, such has been the advantage of the stimulus given to the search for new materials with a view to the manufacture of paper that some owners of cotton-waste now complain that they can only obtain half the price for that material which they used to obtain. That is represented to me as the actual state of the case. It is not worth the paper-maker's while, so much is his command of material augmented—I do not speak of any individual paper-maker but of paper-makers as a class—it is not worth his while, according to accounts which have reached me, to give the owner of cotton-waste the price that it was formerly worth his while to give, because he has found that he can obtain cheaper materials from other sources. Mr. Whitehead, a gentleman who writes from Belmont, near Rowtenstall, and who states that he himself produces a large quantity of cotton-waste, has informed me by letter that in 1860, when middling Orleans cotton cost him 5½*d.* per lb., he could get 22*s.* per pack for his sweepings; but now, when he has to pay so much more for his cotton, he cannot get more than 9*s.* a pack for the waste. I assume that the quality is the same. And the figures appear to show that the British paper-maker has an increased command of raw materials.

As regards the exports of paper and paper goods from this country, they have risen from 136,000 cwts in 1859 to142,000 cwts in 1864; and, finally, the number of paper-makers, which had progressively sank from 505 in 1838 to 365 in 1859, has ceased to show any sensible decline from that time onwards: in the year 1864 it was 364.

I will now, Sir, proceed to notice our trade with France, which has happily become a subject of special interest to this country; and there I find as regards the aggregate trade a continuous increase. This trade varies, however, in its form; and although the export of British produce has slightly diminished from what it was two or three years back, yet the total increase of trade with France has been steadily on the increase in point of imports as well as exports. In 1859 the total amount of our trade with France was £26,431,000, and in 1864 it was £49,797,000; showing an increase of £23,366,000, or nearly 90 per cent. And there has not been a single year in that period in which, if we take our exports of all kinds together, our exports to France have not shown an increase over the preceding year. In 1859 we exported to France of British, foreign, and colonial produce, £9,561,000; in 1864 this total had risen to £24,157,000.

After thus adverting to the condition of our trade with that country, I would desire to occupy a moment in removing a common misapprehension with regard to the comparative amount of the public expenditure in France and England respectively. It is believed—and it has been used by some of us as a consolation under the burden of our great expenditure — it is believed that the public expenditure of France is much higher than the public expenditure of this country. That belief is erroneous. It has been encouraged, probably, by the mode in which the accounts are rendered, and by the system under which local charges in France are passed through the medium of the Imperial Treasury. I have no account later than that for the year 1862. It is well known, that although the French accounts are esteemed to be perfect models of scientific precision and clearness, yet they do not appear—I mean that the final accounts do not appear—until considerably in arrear of the period to which they refer. But for the purpose I have in view it will do just as well to take this account; and the result is of great interest. In 1862 the apparent expenditure of France was £88,493,000; but of that expenditure a large proportion was for purposes of a local character, and for other purposes which do not at all appear in the Imperial expenditure of this country. The expenditure of France in that year, after withdrawing those items which do not enter into the comparison with that of this country, was £60,815,000; and the expenditure of this country in the year 1862-3—the nearest period I can take — was £70,352,000. These figures would show an excess on our part of about £9,500,000 over the expenditure of France. The account, I think, now stands somewhat better. We have made a sensible progress since that period in reducing our charges, but I am not quite sure that our neighbours and friends across the channel have as yet been so fortunate, although we are informed, and I hope correctly informed, that they have at length a prospect of moving in that direction.

As regards the whole trade of this country, I stated last year the immense amount which it had reached. I think the total then exhibited was not less than £445,000,000. It has, however, undergone a large further increase in the year recently passed. The accounts of the year ending the 31st of December, 1864—for we do not take notice of the financial year as regards the accounts of trade—those accounts show that our imports amounted to £274,000,000, and our exports to £213,000,000. Thus the two together give a total of £487,000,000; or an increase of more than £219,000,000 since the comparatively recent period of 1854, when the total was £268,210,000.

And here, Sir, I come to a question of very great interest which may well deserve and repay a few moments of our attention. There is, again, an erroneous apprehension that while the increase of the trade of this country of late years has been undoubtedly a remarkable increase, yet that it has been less, and less remarkable, than the simultaneous increase which has taken place in the trade of foreign countries.

Now this is a matter which is by no means exclusively historical or speculative. It touches not only the reputation of the Parliaments of England, which for the last twenty-five years have attached so much consequence to the removal of shackles from industry and commerce, but it likewise appears to bear materially upon the wisdom or necessity of continuing that policy for the future. Now, it is quite true that the trade of France exhibits a larger relative increase of late years than ours has done; but I will venture to say it would have been strange indeed if this had not been the case. And why? The trade of France languished, after the close of the great war, for a lengthened period. Her productive power had, I apprehend, undergone a great diminution. During that war, and especially during its last years, there had been an enormous loss of life, and this loss of life fell upon the male population of the age when the career of productive labour is commencing. Thus, although the difference in the aggregate numbers of the nation may not have been remarkable, yet the productive power of France had really undergone a crushing and wasting depopulation, which it required the lapse of a full generation completely to repair. It was not surprising, then, that for thirty or forty years that great country should have remained under a considerable though a progressively diminishing degree of unnatural depression as regarded its trade. Nor could it be wonderful, accordingly, that the trade of France should, after that depressing influence had ceased to operate, show a greater relative increase than that of England, a country which has never lost the energy and vigour of her manufacturing and commercial operations, and which happily has not been subjected to such sweeping losses of her best blood through the desolating influence of war. In illustration of what I have said I am only able to compare the exports of the two countries; but they are quite sufficient and effectual for the purpose. The total exports of France in 1854 were £78,000,000, and in 1863 they were £141,000,000; showing an increase of 81 per cent. The total exports of the United Kingdom in 1854 were £116,000,000, and in 1863 £197,000,000; thus they show an increase of little more than 70 per cent. That is not a very unfavourable comparison; but still I grant that if that fact stood alone it would authorize you to say that a country, which had done little in the way of relaxing its commercial laws, had achieved relatively more than a country which had done much, and had made great progress on the road of commercial freedom. But when we look at the absolute condition of trade what do we find? We find that while France added in these years £63,000,000 to the total previous amount of her exports, England, with a smaller population, added no less than £81,000,000 to her previously vast aggregate; so that the absolute increment of trade was greater by nearly 30 per cent in England than it was in France.

But if we seek to have a fair comparison of progress, we should not select for the purpose a country like France, which has been placed under circumstances so abnormal in consequence of the ruin and ravages of war; let us take two neighbouring countries with free institutions, countries which have not undergone the same amount of suffering, which have been in a more nearly normal condition, and which have been nearly exempt both from war and also from revolution. Unfortunately it is difficult to find countries on the Continent which have been free from war and revolution; but let us take, as perhaps the best for our purpose, Belgium and Holland, neither of which have suffered under the one head or the other in a degree comparable to France. And it is material to remember that both have enjoyed largely the advantages of railways. Indeed, there is perhaps no country of Europe which has benefited more fully than Belgium, from the application of the railway system.

Now the increase in the exports of England, as I have shown, from 1854 to 1863, has been about 71 per cent; but the exports of Belgium, perhaps the most flourishing of all the countries of the Continent, only grew in the same period from £28,000,000 to £40,000,000, or 43 per cent; and the exports of Holland only grew from £24,000,000 to £30,000,000, not 71, but 25 per cent. These results appear to me to be remarkable; and I doubt whether they are commonly understood.

There again, Sir, is another country, which more than Belgium, more than almost any of the countries of Europe, exhibits the mischievous results of commercial restriction. It is Austria. With regard to Austria it is difficult to make a fair comparison. It is really lamentable to find that in a country of that vast extent and of that immense capability, the exports amounted to no more than £11,000,000 in 1844. In 1858 they had only risen to £22,000,000. Between the same years, the British exports had risen from £58,000,000 to £116,000,000. The relative increase of 100 per cent was, therefore, the same. But while the absolute increase was in Austria £11,000,000, in the United Kingdom, with a much smaller population, it was more than five times as much; it was £58,000,000. Let us hope that my right hon. Friend (Mr. Hutt), who is now in Vienna, engaged in the good work of communicating to Austria the results of our experience, may succeed in persuading the Imperial Government, not that it is a matter of vital, or even of sensible, importance to England that they should alter their tariff, but that it is of vital importance to themselves to follow our example; and that if they will act in that spirit, with a view to their own interests, we shall be perfectly satisfied with that share of benefit which must necessarily redound to us, for a process of this kind always blesses both him that gives and him that takes; but him that gives, as we have found by a happy experience, even more, and much more, than him that takes the gift.

Upon the whole, I come to this conclusion — that we have indeed derived enormous—almost boundless—advantages, from the inventive spirit which has distinguished the mechanism of the present age, and from the application of new principles of locomotion. I believe that the railway companies at present receive from the public for the services they have performed above £30,000,000 sterling per annum; and I think it would be a moderate estimate to say that a further sum of £30,000,000 per annum may perhaps not unfairly represent the addition to the wealth of the country, which has been gained by the introduction of the railway system, even after making every just allowance requisite for the capital invested in other modes of locomotion which have been either wholly or partially paralyzed by the introduction of railways. But after all that has been said on the subjects of machinery and locomotion, all these figures go to place it beyond doubt that immense advantages have also resulted from the apparently simple but in practice sufficiently difficult business of removing the bars, fetters, and obstructions, devised by the perversity of man himself, from the processes of human industry, and of trusting to the simple expedient of freedom for the development of the productive power of a country. And, Sir, it is no small honour to the kingdoms of the Queen that, as in regard to locomotion, so in regard to the freedom of trade and industry, it has been given to them to lead the vanguard and bear the banner of civilization. In the words of one of our own poets—used to describe the establishment of justice and order after barbarous anarchy, and not less justly applicable to the changes we have now in view with all their long train of consequences, it may be given to our acts—

> "To serve as model for the mighty world,
> And be the fair beginning of a time."

To be the beginning of a time, richly fraught not only with economical advantages—not only with results which can be exhibited in statistical tables—but fraught more richly still with results which promote and confirm the union of class with class among ourselves, and even, as we may hope, of nation with nation throughout the wide surface of the earth.

And, Sir, in closing such a survey as this, I hope I shall not trespass too much upon the patience of the Committee if I avow that I cannot here forget or overlook the man who bore a larger share than it was given to any other man to bear, in securing those great benefits for his country and for the world. Well and justly has testimony been borne to him in these walls by higher authority than mine, and it may be nothing less than impertinent in me, if I presume to make any addition to the acknowledgments already better paid. Nevertheless, closely associated as I was with Mr. Cobden in all the transactions connected with the conclusion of the Commercial Treaty with France, I cannot forbear from rendering such a tribute as may be within my power, both to his acts, and to a character worthy of, and perhaps greater than, the acts themselves. The praises which have been bestowed upon him here, and the sorrow which has been felt for him by his countrymen, have not been confined to us; they have been shared by the civilized world. Those praises have been reechoed with earnestness equal to our own in every foreign land, and there is no civilized country which has not thought it a privilege to share with us in the honours we have paid him. Mr. Cobden, Sir, requires no eulogies from me. His memory is part of the inheritance of his countrymen; and, for myself, I am convinced that, along with the recollection of his distinguished services, there will always abide among us an accompanying and scarcely less marked remembrance of his character, so true, so manful, so courageous, so simple, so unselfish, so devoted, so genial; a character of which it may be said with truth that it has added as much lustre to his greatest actions, as it has received lustre from them.

Sir, I come now to state the Estimate of the Expenditure and Revenue for the service of the financial year which has just commenced.

The charge of the Funded and Unfunded Debt for 1865-6 is put at £26,350,000; the charges on the Consolidated Fund are taken at £1,900,000; the Votes for the Army, £14,348,000; for the Navy, £10,392,000; the Collection of the Revenue, £4,657,000; the Packet Service, £842,000; and the Miscellaneous Civil Services are estimated to amount to £7,650,000. This last amount is not yet precisely fixed; but it cannot vary, in any material degree, either one way or the other, and at any rate I have no reason to doubt this sum will suffice for the total amount of the expenditure which we shall ask the House to sanction. The figures I have just stated give a total charge of £66,139,000; which is a sum less by £1,110,000 than the Estimates voted in the year 1864-5.

I will next take the Revenue for the coming year. The Revenue from Customs I venture to put at £22,775,000; the product of the Excise at £19,030,000; and I may add that in this Estimate of Excise allowance is made for a considerable deduction from the receipts we have had during the past year from the article of malt. The Stamps I put at £9,550,000; the Taxes, £3,350,000; the Income Tax, £7,800,000; the Post Office, £4,250,000; the Crown Lands, £315,000; the head of Miscellaneous Receipt, £2,650,000; and lastly the China Indemnity is taken at £450,000. In the Miscellaneous Receipts which come to our credit this year are included several sums which are mentioned in the first page of the Army Estimates, and for which credit is there taken as forming virtually a reduction of Army charge. Formally they are not a reduction of Army charge, because the money will be voted and repaid; but virtually and really they may deserve that description, because they will come back to the credit side of the account as well as enter into the debit side, and they represent a part of the effective relief which, as we calculate, will be given to the people in respect of Army Expenditure. They are chiefly connected with repayments from India and the Colonies.

The total estimated income of the year is £70,170,000, while the total estimated charge is £66,139,000; and I need scarcely observe that these figures show a probable surplus of revenue over expenditure amounting to £4,031,000, or say in round numbers £4,000,000.

I come now to the rather difficult question of the disposal of the surplus. And I will first call the attention of the Committee to several minor changes, affecting the conduct of business and of some value and importance to those who will be benefited or affected by them, but which it will hardly be necessary for me to take into account, as they will make no material change in the balance of Income and Expenditure, partly because their pecuniary effect will be small, partly because they may in some degree balance each other. It is proposed, with regard to the transfers of shares and conveyances, to make an increase in the steps of the duty payable on those transfers for the convenience of parties, so as to enable them more precisely to adjust the amount of their transactions to the sum they have to pay, instead of driving them occasionally to make two conveyances in lieu of one, for the sake of effecting a small saving. It is proposed that an anomaly which now exists with respect to the stamp duty on scrip certificates and receipt bonds shall be removed, as it is found to lead to inconvenience. At present the duty does not apply where the loan of the company, though made in England, is foreign, but it does apply to all domestic transactions. As I am opposed to protecting the Englishman against the foreigner, I am at least equally opposed, where we have a choice, to any arrangement of law which can have the effect of protecting the foreigner against the Englishman. It appears to me that in all cases where the transaction has reference to a person living in this country, the stamp duty ought to be the same in one case as in the other. If, then, a loan be raised for foreign purposes in this country the operation will, in future, be subject to the same charge as if it were wholly domestic. Again, Sir, an application has been made to the Government, which I think is a proper one—to the effect that the stamp on the letting of small tenements for periods less than a year should be reduced. Though small in amount, yet in certain cases it is now felt to be very burdensome. The stamp, so far as the sum paid conveys an idea of it, does not present this appearance—for it only amounts to 6*d.*; but when we come to consider that in many places houses are let for a week, a fortnight, or a month, at such low rents as 2*s.* 6*d.*, 3*s.*, and 3*s.* 6*d.* a week, it may form a sensible or even a heavy tax, and it appears highly probable that the payment of the present stamp has a certain measurable effect in deterring people from using the form of a written agreement, which we certainly ought not to discourage. We, therefore, propose to reduce the amount from 6*d.* to 1*d.* in the cases of these small lettings. In the case of the present minimum duty levied on appraisements of property under £50 we propose to make a reduction by a proportionate scale. We propose that if the property only amounts to £5 the duty shall be only 3*d.* instead of the present £50 duty of 2*s.* 6*d.*, and from 3*d.* we shall go upwards in proportion to the amount of the property. We propose to give relief to a certain class of gentlemen who labour under an unequal charge. How this anomaly arose I do not know. Special pleaders and conveyancers now pay the same licence duties as attorneys and solicitors; but the latter have a very equitable allowance of half duties for the first three years, while special pleaders and conveyancers have not that allowance. We propose to give them the benefit of that partial remission. Then, with respect to the stamps on various ecclesiastical licences, we propose to make a reduction. It appears that in several cases the present licences are so high as either to be felt as a burden or to prevent altogether the use of the instrument to which they apply. We propose, again, to make an alteration with regard to the stamp on what is called a "charter-party." The law affecting it is at present in a very unsatisfactory state; and this will be a matter of some importance to several ports, especially in the north of England. The present duty on a charter-party is 5*s.*; but we propose to reduce it to 6*d.*, subject to certain conditions as to drawing the document, which we shall require in all cases where it is to have the benefit of the reduced charge to be put on paper previously stamped, and bearing a printed form; which form, however, may be altered in every case as convenience may dictate. We think it better to have a 6*d.* duty enacted by law and to get it, which we expect to do, rather than a 5*s.* duty which, except in a few instances, we are not so fortunate as to receive. We also propose a change in respect of policies of marine insurance, to the effect that policies issued abroad shall not be recoverable here except they be brought home to be stamped within a certain time. The purpose of this change is to prevent what may be regarded as an evasion. We also propose to remove the present limit of time for claiming returns of duty in cases of marine re-insurance, as the existing limitation is found to be attended with inconvenience in the case of time policies in that department of business. The last change we propose in respect of assurances is one to make more equitable the arrangement of the stamp duties on assurances given by certain companies for a variety of minor purposes. Some of these duties require re-consideration, and we shall endeavour to make a proposal which will have the effect of charging them at a very moderate rate on an harmonious and consistent principle.

And now, Sir, *paulo majora canamus.* I have said that the disposal of the surplus is difficult. It is difficult, not so much in itself, as by reason of the view which has been taken of the claims upon it. I come to a great subject which, during one evening of this Session, received the attention of the House and formed the topic of an interesting debate. I refer to the Malt Duty. Sir, when that subject was under discussion on the occasion to which I allude, my right hon. Friend the President of the Board of Trade, on the part of Her Majesty's Government, expressed their sense of the great importance of the question, and stated their conviction that, at any rate, whether they might be sanguine or not as to the result, it deserved and would receive careful and laborious consideration at their hands. My right hon. Friend stated so fully and clearly the reasons which prevented the Government from agreeing to the Resolution moved by the hon. and learned Gentleman opposite (Sir FitzRoy Kelly) that, though possibly he may not have satisfied all who heard him, he must, at all events, have convinced many that we were justified in the course which we then adopted; that is to say, in declining to pledge ourselves to the Resolution by which it was sought to affirm the claim of the Malt Tax on the surplus.

Now, Sir, in approaching the consideration of this very important question, I will begin by deprecating and putting aside one particular argument which has been constantly put forward by those who advocate the repeal of the Malt Tax. It is constantly stated, "In all your legislation you have done nothing for the class of agriculturists." Well, Sir, I should like to know the class for whom you have done anything. In my own opinion among the most marked of all the characteristics of our legislation of recent years has been this: that we have been steadily endeavouring to extricate ourselves from the vicious habit of looking to the supposed claims, and supposed separate and rival interests, of classes, and to legislate simply and exclusively for the interests of the country at large. I know, indeed, that there are classes whom we are supposed to have injured. I know there are constituencies in the country by whom a view quite opposite to ours has been taken, and by whom gentlemen who were disposed to place confidence in the present Administration have been rejected, and candidates attached to the party opposite have been preferred, on the ground that Her Majesty's Government were in favour of a policy injurious to the interests of this or that particular trade or of agriculture. But I want to know in what instances, during the existence of this Parliament, we have asked Parliament to surrender, or in what instances Parliament has consented to surrender, any portion of the revenue of the country, which is the property of the country, on any other plea of interest but the broad and comprehensive interest of the nation at large? I believe that legislation for the benefit of a class is a mistake of the worst order. In the first place, it is a betrayal of our duty to the nation, whose trustees we are, without distinction of class; and, in the next place, such legislation confers far less of ultimate advantage, even on the favoured class, than the share which that class itself would derive from wise legislation impartially applied and spread over the whole community.

Indeed, Sir, I am disposed to think that if in any single case we have made a proposal which did at all savour of regard for the interests of a class—and I do not say it was an unfair one, because we had to deal with a most peculiar case—it was one in regard to which you, Sir, (Mr. Dodson), must take your share of responsibility, as the able and persevering leader of the movement of repeal; though we ourselves are ready to take our share of it also. I allude to the measure for relieving the hop growers from the duty which they were formerly liable to pay on that commodity. And it is not a little singular if while we are reproached for having neglected legislation for classes, and in particular the interest of agriculture, the fact shall appear to be that we have in every case but one repelled and refused legislation for classes, and that one case the case of an agricultural product. I do not now, Sir, enter on the question whether the repeal of the Malt Duty may be recommended on other and higher grounds; but I protest against its being granted on the ground that it is for the interest of a class.

I propose now, Sir, to discuss, in the first instance, with the permission of the Committee, the important question of the amount of relief which the removal of the Malt Duty would confer upon the consumers of beer. It has been stated, and stated seriously, that although the Malt Duty only brings £6,000,000 into the Exchequer, yet the cost of that duty to the consumers is £20,000,000. I think one distinguished Gentleman in this House has elaborately stated something more or less akin to this, and has supported in argument his bold proposition. We are reproached, Sir, with being a beer-drinking nation, and we are told that the use of that excellent liquor deadens the imagination; but if there be conformity between the practice and the preaching of the advocates of the repeal of the Malt Tax, the latter assertion would appear not to be well founded. There seems to be no deficiency of imagination on their part, when they feel emboldened to assert that this tax, which brings only £6,000,000 to the Exchequer, costs £20,000,000 to the consumer. When we come to the proper point in the discussion, I shall endeavour to show in a few words what is the real amount of the burden caused by the Malt Duty and by the licences imposed for financial purposes on the traders, in addition to the cost of the beer itself. Meanwhile, I have to give precedence to some other topics.

The next accusation against the Malt Duty is that it seriously restricts the application of malt for the feeding of cattle. I am persuaded, however, that, as far as the purposes of serious discussion are concerned, we have heard nearly the last of that charge. A long series of experiments has been made, which has incontestably established this proposition; that if malt is to be used beneficially in the feeding of cattle it must be used only exceptionally and occasionally. In the vast operation of feeding stock, even what is exceptional and occasional may still be important, nay extensive. I do not question the importance of the use of malt for this purpose: but it is I think only adapted for particular classes of cases, and is not intended to be a substitute for any of the great modes of feeding heretofore generally in use. That, however, is but an opinion; and if that opinion be false, and if it be held by any person that malt is extensively available — available in a wholesale manner—for the feeding of cattle, then I say that under the Act passed last year there are ample means now existing of applying it for that purpose. Twenty-eight malt houses were opened for the purpose of preparing malt for feeding cattle, after the passing of the Act of last year. Out of those, eleven have since been closed; some of the remaining houses are doing a very active business, and others, I believe, are doing a business less active. Now, shall I be told that this comparative narrowness of result has been caused by the burdensome and restrictive character of the regulations which are imposed by the Excise on those houses? There is no evidence in support of such a proposition; but there is this significant fact on the other side — that not one of the persons who have closed their malt houses have alleged that their having taken that course had any connection whatever with the regulations imposed by the Excise on their industry. Their reason has been merely this, that they have not found a sufficient demand for feeding malt, and that they consider it more profitable to use their malt houses for the purpose of preparing malt to be applied to its ordinary use in the manufacture of beer. I have here the names of several of those gentlemen who have permitted me to quote their letters stating the cause of their having closed their malt houses. I would read extracts from those letters to the House if it were desired. But perhaps it may suffice to say that in not a single instance has the closing been attributed to difficulties arising from the restrictions imposed on the trade.

The next charge commonly brought against the Malt Duty is that it operates injuriously upon the price of the middling and lower barleys. That is a charge of great importance, and to it I will presently, with the permission of the Committee, recall attention for a few moments.

I think that the last serious charge against the operation of the duty is that it discourages brewing at home. Now, it is impossible that that charge should be maintained by those who say that the Malt Duty, although producing only £6,000,000, yet, through the medium of the brewer, costs the consumer £20,000,000; because, if the duty should be repealed, the man who brews at home will be relieved only of his share of this £6,000,000, while at present he pays a proportionate share, not of £6,000,000, but of £20,000,000. It is evident that if all these factitious additions are made to the burden of the Malt Duty before the beer reaches the consumer, the present system is that which offers the highest possible premium upon brewing at home; because, instead of paying these enormous sums, in which he is mulcted through a factitious medium, all that a man has to do is to pay 21*s*., or whatever the precise sum is per quarter, and then he can brew for himself; whereas, according to the allegation made, he must, in buying from the publican, submit to a charge of more than three times that amount.

Now, Sir, I would ask what is the question before us? Are we asked to consider the abolition of the Malt Duty, or are we only invited to attempt its reduction? I own that I put aside, as remote or even visionary, the question of the abolition of the duty. The abolition of the Malt Duty, by which I mean the abolition of all duty upon the principal one among all the strong drinks of the country, would be the death-warrant of the whole of our system of indirect taxation. It is idle and futile to the last degree to suppose that having beer made free from taxation you can tax wine and spirits on the one side, and can tax tea and sugar on the other. The only consistent man who supports the repeal of the Malt Duty is, if so I may presume to say, the sly but determined foe of indirect taxation. I can quite understand the speeches which are made by such Gentlemen in favour of the repeal of the Malt Duty—"Take it away," say they, "it is a very improvident and a very improper tax." They make speeches in this House which are received on the opposite side with loud cheers, and they are on these occasions welcomed as allies with remarkable cordiality; the Gentlemen who so welcome them not perceiving that the real end of all this must be the imposition of the whole burden of our taxation upon property. The repeal of the Malt Duty, in the absence of other forms of taxation upon beer, is, I repeat, the death-warrant of indirect taxation. I assume, therefore, that the question before us is not that of the repeal, but that of the reduction of the Malt Duty.

Now, our confining the question to the reduction of the duty, it must be admitted, somewhat weakens the argument; because we shall still, when the duty has been reduced, have all those magical terrors which are connected, in the imagination of the opponents of the duty, with the operation of the system of Excise; and, more than that, we have all the real disadvantage of restrictions, which must always amount to something, and which must continue as long as you maintain an Excise upon malt at all. I take it for granted, however, that the practical question for the present occasion is, at what cost can we make such a reduction of the Malt Duty as will sensibly lower the price of beer? That inquiry, I hope, states the question fairly and honestly. To answer such a question, we must carefully ascertain what is the proportion of the present price of beer which is really due to taxation. I say now "to taxation," and not "to the Malt Duty," because, although the bulk of the taxation consists of the imposition upon malt, there is also the commutation of the hop duty, which comes out in the shape of the brewer's licence; and there, moreover, is a trifling charge for the maltster's licence, of which, small as it is, yet account should be taken.

Now, Sir, this is a subject on which it is not possible for me to ask the Committee to accompany me through all the details of the inquiry through which we, however, as we were in duty bound, have patiently passed. My right hon. Friend the President of the Board of Trade stated that the Malt Duty imposed upon beer a tax of 12½ per cent; and I am able to say two things—first of all, that I believe that that statement of my right hon. Friend was a rigidly just one, in every sense of the word, for the purpose with a view to which he used it—namely, for the purpose of comparison with the duty now imposed by law upon tea; and secondly, that very high authorities connected with the trade, men intimately conversant with all the details of the brewing trade, have, upon being applied to, given the very figure that was mentioned by my right hon. Friend, namely, 12½ per cent, as the true value, in their judgment, of the Malt Duty. The other minor duties of which I have spoken would not conjointly make an addition of more than from 1 to 2 per cent—so that undoubtedly, upon that showing, the duty altogether would not amount to more than from 14 to 15 per cent. However, I think it is possible that the computation I have now mentioned may have in view the price to the consumer in retail. It may be more proper that I should take it upon the barrel of beer. That is the fair way, as it appears to me, for the purpose of comparing the burden of this duty with the burden of the tea duty upon the chest and half-chest of tea; and having, on the one hand, caused the officers of the Revenue Departments to make a most careful and sifting examination, and having, on the other hand, conferred with those whom I believe to be best informed, and who, at my request, have kindly gone with great care into the details, I am prepared to allow that the taxation upon beer, as sold in barrel, of which all but 1 or perhaps 2 per cent is the Malt Duty, may, for the sake of argument, be taken, on a liberal estimate, as high as at 20 per cent. I believe that I am safe in challenging any attempt seriously to impugn that statement.

Well, then, Sir, the next step is this: if 20 per cent is added to the price of beer by the duty upon malt, how much must we take off that duty in order to produce a sensible effect upon the price of beer? I mean the price to the consumer; because, although thus far I have been speaking of the price per barrel, the great bulk of beer is not ultimately sold in the barrel but by the pint or quart; and I do not think that anything which would reduce the price less than a farthing a quart ought to be regarded by Parliament as a sufficient object to induce us to interfere with the Malt Duty. I even think that is a moderate statement of the case. Some might go beyond it; but I will assume with confidence that you must, at the least, reduce the price by a farthing a quart. What, then, is the reduction of the Malt Duty that would be absolutely necessary in order to reduce the price of beer by a farthing a quart? It must be reduced, according to the best calculation I have been able to procure, to somewhat less than one-half of the present amount. It is now 2*s.* 8½*d.* a bushel; and it must be reduced to 1*s.* 2*d.* a bushel, in order to give to the consumer a reduction of a farthing a quart in the price of beer. Now, I have to ask, what would be the cost to the Exchequer of such a reduction? Because when the advocates of the repeal, and the strong advocates of the reduction of the Malt Duty, come to this question of the cost to the Exchequer, they have a dangerous habit of dealing in generalities, and they delight in assuring us, with smiling countenance, that in one way or other, especially by increase of consumption, the cost to the Exchequer will be very greatly reduced, or indeed, in the view of some, altogether neutralized.

Now, I will state, first, what would be the first cost; and then what would be the effect of the increase of consumption. The proper time of the year at which to reduce the duty, if it were reduced at all, would, I think, beyond all doubt, be about the 1st of October. That is the period at which the stock of malt in the country is the lowest; and it is, therefore, the period at which we should have to pay the most moderate amount of drawback. At that time we estimate that we should have to pay drawback on about 15,000,000 bushels of malt, costing £1,160,000; and we should have an estimated loss in duty charged, for the remainder of the year, amounting to £1,320,000. That is to say, that we cannot touch the Malt Duty for the purpose of giving to the consumer one farthing upon the quart of beer, at a less cost to the Exchequer for the first financial year than £2,480,000. But that is not the worst of the story. That is the cost of the first year; but what will be the cost of the second year? In the second year the reduced duty would operate for the whole twelvemonth. According to the estimate formed at Somerset House, the cost for the second year of the reduction from 2*s.* 8½*d.* to 1*s.* 2*d.* would be no less a sum than £3,360,000. I might almost rest upon these figures; they are far more eloquent than any comment that can possibly be made upon them; but I must not omit still to touch upon one topic that might possibly be raised, and that is the increase of consumption. We may be told that there would be a great recovery arising from the increase of consumption. Now, Sir, what I venture to say is this—that in the case of malt not only would there not be a great recovery from increase of consumption, but that there would be no recovery at all; and, on the contrary, it is probable that the increase of consumption, with whatever other advantages it might be attended—and I am not considering those advantages, for at this moment I am engaged in an inquiry purely fiscal—that the increase of the consumption of beer would in all likelihood be attended with a further loss to the Exchequer. Gentlemen may hear these words with some surprise; but the explanation is easy; for if there is a large increase in the consumption of beer, a portion of that increase displaces the consumption of spirits. ["Hear, hear!"] Very good! Oh, set out upon your mission of philanthropy, and I am ready to travel with you, perfectly ready to be your companion; but then I beg you to find me the money from some source or other. Do not, however, let us confound together things which are distinct and separate. We are now, Sir, looking at this question from the driest point of view, that of pounds, shillings, and pence; and, after all, setting apart the hustings, and the poll, and everything else, the discussion will at last come to that very sober issue. Now, supposing that of every additional thousand pounds laid out upon beer after this reduction one-fourth part should displace an equal expenditure on spirits—and I do not think that an extravagant estimate—I believe that probably a larger portion of this increase would be in substitution for spirits—but, taking it at one-fourth, what would be the effect upon the Exchequer? Why, Sir, it would take £8 laid out upon beer after this reduction to bring into the Exchequer what £1 laid out upon spirits now brings in; and if £2 worth of spirits are displaced by the additional consumption of £8 worth of beer, it follows that the Exchequer would lose £1 for each £8 added to the consumption of beer. Thus, then, so far from gaining it would lose, and lose heavily, from every addition to the consumption of malt and beer. But I will not argue the question between malt and spirits further than this—that I have made good, and more than made good, my propositions; first, that if the Malt Duty is to be reduced it must be from 2*s.* 8½*d.* to 1*s.* 2*d.*; secondly, that with such a reduction you must in the first year lose, in round numbers, two millions and a half; thirdly, that in the second year that £2,500,000 will be raised to more than three millions and a quarter; and lastly, that you must lay your account not with recovery, but with a further loss in consequence of the increased consumption of beer, and the consequent displacement of spirits.

Again, Sir, I am bound to say that I cannot put out of sight in dealing with this matter the Irish and the Scotch question. I think that in the nature of the Scotch there is great patience, and in the nature of the Irish great vivacity; and I believe that the patient and the vivacious would combine together were we to reduce the Malt Duty for the benefit of this country, and would say in a voice of thunder to the Finance Minister of the day, "We protest against this unequal dealing, and we mean to make our protest good in some manner or another—you may find out the way for yourself—we insist, if you reduce this tax for the advantage of England, upon your doing something for Ireland and Scotland." To the three other sources of loss, therefore, which I have mentioned, a fourth would be added, arising out of the demands of the representatives of Scotland and Ireland. That, I am sure it will be admitted, would not be a very hopeful prospect for us in a financial point of view; nor is it one which we can think it consistent with our duty to ask Parliament to entertain.

What then, let me ask, are the grounds for this great innovation — this dangerous inroad — on our established fiscal system? Is the consumption of beer declining? Is the trade a dying trade? Has the Englishman changed his nature? Has he ceased to supply himself with a sufficiently liberal proportion of this excellent and truly national drink? On the contrary, the figures all point upwards. Nay, more, the Members of the present Government, and in some degree the right hon. Gentleman opposite (Mr. Disraeli), too, may claim the honour of having each done a good deal to promote the consumption of malt by means of the new and heavy burdens which we have laid on the consumption of spirits. And what has happened? I find—I cannot give the returns for Ireland, but for the purpose of what I am about to state that is not material — that in 1841 the consumption of malt in Great Britain was 1·701 bushels per head of the population; while in 1863 it had risen to 1·793 bushels per head. Now that, I think, furnishes evidence of a very handsome growth. But how stands the case with spirits, on which, year after year, during the period from 1853 to 1860, additional burdens have been laid? In 1841 the consumption per head of spirits in Great Britain was ·763 gallons; while in 1863, to my great joy and satisfaction, it had sunk to ·645; during the very time, observe, while the consumption of malt had risen from 1·701 to 1·793. The case, then, as represented by those figures, is not such a very bad one after all. But there is another way of putting it. It may be said, "It is, perhaps, true that things, as regards the consumption of malt, are a little better now than they were twenty years ago; but, then, let us go back to the good old times of our forefathers and see how differently the matter stands." Well, Sir, let us adopt that course; my argument will, I think, abide the issue. What date shall I take to represent these good old times? I will take the year 1722; probably that will be remote enough. Now, Sir, I find that the consumption of beer in 1722 was for England, 6,000,000 barrels; or at the rate of about a barrel per head, inasmuch as I believe that the population at the time was only some six millions. In 1830 the consumption was 8,000,000 barrels; thus, in that year, lamentable to say, it had sunk from one barrel to two-thirds of a barrel per head. In 1864, however—so powerful were the restorative processes which had been introduced, and so much had the consumption of beer been assisted by the legislation which we have effected with regard to spirits and otherwise—we go back, with a population of 20,000,000, to the good old scale, and we consume 20,000,000 barrels, or as nearly as may be the same quantity of beer per head as in 1722. I see before me my hon. and learned Friend the Member for Suffolk (Sir FitzRoy Kelly), and my right hon. Friend the Member for Hertfordshire (Sir Bulwer Lytton), whose able and eloquent addresses in bringing this subject before the House were overspread and coloured by a tone, I will not say lugubrious, but at least somewhat tragic. I am confident they will feel after what I have said that they may go home with hearts at least partially disburdened, and may give to their future disquisitions on the Malt Tax something of a more cheerful hue.

But what, let me ask, is now the consumption of beer in England? In some instances it is astonishing. I am about to relate an anecdote in connection with this point, which I may preface by saying that I have had the best reason to look upon it as authentic, though I confess I was disposed to be a little incredulous for the moment when first I heard it. The authority from which it came, however, entirely forbids the continuance of any sceptical feeling. The subject of my tale is a labouring man, whose ordinary avocations are on the River Thames. There is nothing peculiar in the heat or atmosphere in which he works, but his employment requires great muscular exertion. An accident occurred to this man's hand, and he went into an hospital at the east end of London. One of the surgeons there dealt with his case, but the result was not quite satisfactory. The surgeon accordingly announced that he should wish to open the hand again, but that before he performed the operation he was anxious to be assured that his patient was in every sense of the word a temperate person. He asked some persons who knew him whether he was temperate, and they informed him that he was. He put the same question to the man himself, and he said, "Certainly, I am temperate, and have always been so." "What quantity of beer do you usually drink?" asked the surgeon. The reply was, "Never more than eight quarts a day." I inquired, that being the consumption of a temperate man, how much an intemperate man of the same calling might be supposed to drink: and I was told that the quantity would run from twelve to sixteen quarts a day. Such an instance, however, is of a class that must be exceptional. But now let us reckon the consumption for the whole population of the country. If hon. Gentlemen will have the goodness to take the number of barrels of beer brewed annually in England, to reduce them to quarts, to make a fair deduction for the population of Scotland and Ireland, who drink but little beer; for women, who drink but a small proportion relatively to the men; and for young persons under fifteen, who likewise drink only a very small proportion of the whole quantity consumed, they will find that every adult male in England consumes not far short of 600 quarts every year; and when you take into account the pauper, the criminal, the sick, the wealthy, too, whose consumption of malt liquor is not great, and that very large and respectable class, who pass under the *soubriquet* of "teetotallers," all of whom enter more or less into the calculation, I do not think the demand for the repeal of the Malt Tax can be supported by the argument that access to a sufficient quantity of beer is hopelessly difficult, or that the consumption of it is insignificant or is gradually dying away. More than £40,000,000 sterling is, as far as we can learn, laid out by the population of England every year in the purchase by retail of this valuable beverage. So much, then, for the consumption of beer, which I think I may fairly say is not declining, but is, if slowly, yet rather steadily on the increase.

But what is the condition of the producer of the grain that makes the malt?—because, although I deprecate class legislation, I admit it is material that we should see whether the producer of barley is suffering any hardship. Now I will try the point I have thus indicated by the fairest of tests; I am not now dealing with the question between the better and the worse class of barleys, but with those tests which relate to the general value of this grain in the market. These tests are two. The first, what is the average price of barley, relatively to that of wheat, now, as compared with former years; and the second, what has been the price of barley absolutely, and without reference to that of any other product, during the same period?

Taking first, Sir, the average price of barley relatively to that of wheat, I find it to be as follows. For the ten years before the repeal of the beer duty—the years from 1820 to 1829—barley was worth very little more than half what wheat was worth; the price of barley in those years was as 54 and two-thirds to 100. For ten years after the repeal of the beer duty (1830–39), it was as 57 and one-seventh to 100. For ten years further (1840-49), as 58½ to 100; for ten years further (1850-59), as 62 and one-eighth to 100; for the year 1864, the year in which this great crusade against the Malt Duty revived, barley, which forty years ago was worth only half the price of wheat, was worth, as nearly as possible, three-fourths the price of wheat, or, as 74½ to 100. But adverse critics may say, "Oh, the price of wheat has gone down greatly, and therefore this standard of comparison is not a fair one; the two may have gone down together, but wheat in a greater degree than barley." I come then to apply the second test; the test of price, not comparative, but absolute. Accordingly, I take the price of barley absolutely, and without any reference to the price of wheat; and I find it stands thus:—For ten years before the repeal of the beer duty (1820-29), the price was 31*s*. 10*d*.; for ten years after the repeal (1830-39), 32*s*. 5*d*.; for ten years further (1840-49), 32*s*. 9*d*.; for ten years later still (1850-59), 33*s*. 2*d*.; while the average price for the five years ending with 1864 was 34*s*. 4*d*.; so that the price has regularly and progressively been tending upwards; and this greatly suffering interest—observe that I am now speaking of it as a whole—when its grievances are examined into, turns out to be the victim of nothing more or less than an increasing consumption of the manufactured article, and a higher price for the raw material. I, for one, cannot see how, under these circumstances, the producers of barley can be regarded as having any just cause of complaint founded on alleged suffering from the present state of the law.

But there is another topic to which I wish to advert: I allude to the relative taxation of malt as compared with other articles—a point which I look upon as one of great consequence, both in argument and in practical effect, although the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) found fault with my right hon. Friend the President of the Board of Trade for the comparison which he made on the subject. And here I shall begin by comparing the taxation on barley in the form of malt—that is, on beer—with the taxation on barley in the form of spirits. Beer is taxed at one-fifth of its value, or 20 per cent; spirits are taxed at four-fifths, or 80 per cent. Now, if you want to mark your high moral indignation at the use of spirits through the imperfect, yet not by any means wholly ineffective medium of fiscal arrangements, I think you cannot well go further than a rate of taxation under which, whenever a man is disposed to lay out 5*s*. in this commodity, he only gets at the outside 1*s*. worth of spirits for it, while the other 4*s*. go into the Exchequer. Upon that side, therefore, I mean in comparison with the article of spirits, there is no apparent injustice in the taxation upon beer.

What, then, is the case with beer as compared with wine? It has been said that the duties upon wine have been reduced practically to nothing, a duty of 1*s*. a gallon amounting only to 2*d*. a bottle. But the relation which the present wine duties bear to the whole of the wine imported into this country has been examined by the very competent gentleman whose duty it is to examine into the statistics of the Department of Customs, and it is found that, while beer is taxed at 20 per cent, wines of all descriptions, from claret and champagne downwards, are taxed on the average at 27 per cent. But even that is a very fallacious way of stating the case; for the tax on clarets and champagnes has no relation at all to the price of beer; beer sold by the quart is not in competition with clarets and champagnes. If we really desire to estimate any branch of relative taxation upon commodities, we must take such qualities of each commodity as are capable of coming into competition with one another; we must, therefore, take the poorer and lower wines, such wines as will admit of being sold at prices somewhat approaching to the price of beer, and therefore of coming into competition with it. I have inquired into the character of the wines consumed by the poor, who are the great drinkers of beer. One of these wines is called Hamburgh sherry. The people of Hamburgh have the reputation of being adulterators of wine. It is, however, always to be borne in mind that, according to their own view, they simply understand better than other people the chemistry of wine, and what we call "adulteration" they say is nothing but scientific mixture. The price of Hamburgh sherry is 5*s*. a gallon, duty paid, and of that 2*s*. 6*d*., or 50 per cent of the price, is duty, while, as we have seen, beer is only taxed at 20 per cent. Spanish red wines have recently been imported to some extent, and the same observation applies to the duty upon them. The common sherries from Cadiz, again, pay about the same rate as the Hamburgh wines—that is to say, they too are sold at 5*s*. per gallon, the duty

[☞ 2 N 9 *follows*, p. 1120 *a*]

being 2*s*. 6*d*., or 50 per cent. The common clarets imported from France for popular consumption are sold, duty paid, at about 2*s*. a gallon. The duty upon them is 1*s*. a gallon, or at the rate of 50 per cent. This class of wines, therefore, which alone can enter into any real competition with ordinary beer, is subject to a taxation approaching 50 per cent; while beer itself contributes but 20 per cent. Even in the cases I have quoted, the competition is but partial; for while beer is sold at 4*d*. per quart, the cheapest of these wines is sold at more than 1*s*. per quart.

I pass now, Sir, to the other side of malt—for malt lies, we may say, half way between the stronger liquors, such as wine, and especially such as spirits, on the one hand, and the article of tea on the other. And now I appeal to Gentlemen who make such honourable manifestations of the strength of their disapproval of the consumption of spirits. It is quite evident they consider strong liquors very dangerous. I apprehend I shall find a way to their hearts without any difficulty when I plead for moderation in the impost upon tea. If beer ought to be taxed more lightly than the wines which compete with it, and more lightly than spirits—as I grant it ought to be—then, I put it confidently to the House, ought tea to be taxed more heavily than beer? I ask attention to that proposition, because it is one fertile in consequences. If the principle that tea ought to be taxed more heavily than beer be sound, then it is desirable to uphold that distinction; but if the principle be unsound, then it is very much to be wished that it should in practice be abandoned. The tax on beer, as I have already stated, is about 20 per cent; the tax on tea, the charge which it bears of 1*s*. per lb., cannot be stated at less than 40 per cent. The short price of tea varies at different times, but for some years past it has not been above 1*s*. 6*d*. per lb., sold by the chest; a few days ago it stood at no more than 1*s*. 3*d*. If we take the price at 1*s*. 6*d*., the tax of 1*s*. per lb. upon tea will be at least 40 per cent; if we take the price at 1*s*. 3*d*., the tax will be about 45 per cent. Now, I think it requires no great hardihood to assume that, in the mind of Parliament, to state this case is to prove it; that it will not be attempted to justify a state of things in which tea is taxed twice as heavily as beer. Under the circumstances, then, of such undue relative taxation, I ask, what ground is there for making the vast sacrifice of Revenue that I have shown would be entailed by reduction of the Malt Duty? And do I not further show that up to this moment we have failed to do full justice to the consumers of the article of tea?

There is but one point connected with this case of the Malt Duty, upon which the Committee have heard me with so much kindness and patience, with which I have still, as I just now intimated, to deal, and it is this. It is alleged that injustice is done relatively to the lower and middle classes of barley as compared with the better sorts of barley by the present system of raising the Revenue from malt. I have shown that there has been a progressive and steady rise in barley, not merely year by year, but in periods of ten years after ten years; and I might easily have shown that the relative inequality is, at least, not greater than it was, and, consequently, that the growers of the lower and middle classes of barley have participated in the advantages of these improved prices. But, Sir, I do admit that the incidence of the Malt Duty does press on barleys of the middle and lower qualities; that is to say, it alters the natural relation of value between them and the superior barleys. The duty is laid on a certain measured quantity of malt—which, for the purposes of this discussion, is just the same as if laid on a measure of barley—and a bushel of barley of high quality is known to yield more valuable malt than a similar quantity of barley of lower quality. We have been asked whether it is not possible to devise something in the nature of a remedy for the inequality created by the operation of this system; and I am happy to say that we have found, what we think is at least a partial remedy, even if it would be too bold to hope it will prove something more than a partial remedy. Now, it would be very unjust to alter the form of the duty absolutely from a duty by measure to a duty by weight; because many persons might not wish to adopt the substituted system, and the growers of fine barley especially might believe that their interests would be injuriously affected. But what we think may be done, and what we shall ask the House to do, is to give to the maltster the option, if he thinks fit, of having the duty charged by weight. Hon. Members will at once perceive the operation, or at least the aim, of the proposed plan. Those who wish to be charged by measure will not be subject

[☞ *follows* 2 N, *p*. 1120]

to any change; but in other cases when the alternative method may be preferred, we ask Parliament to give the maltster the option of adopting it.

The plan we propose to adopt will be this. A certain weight will be assumed as the average or standard weight of a bushel of barley of such quality as is now ordinarily used for malting. Barley meant for malting will be weighed before steeping by a sample bushel. It will then be guaged as malt in the same manner as now. The whole weight of the parcel malted will be divided by the standard weight; and the quotient will give the number of bushels to be charged with duty. The effect will be to relieve all barleys lighter than the standard. I hope it is not too much to expect that the result of that change will be to improve the position, at least, of the lighter, if not of all the middling and lower barleys in the market, by giving them fair play as compared with the heavier barleys, which now undoubtedly derive something of a factitious advantage from the form in which the duty is levied. This measure, it is right that I should add, will not form any part of the chief financial Bill of the year, but will form the subject of a separate Bill, which I shall have the honour to lay on the table.

And now, Sir, I conclude this lengthened argument on the subject of the Malt Duty. Perhaps it may be said that the prospect I have held out is a prospect of the indefinite continuance of the Tax. On that subject I do not profess, I should rather say I do not presume, to offer any opinion. I am not bold enough to prophecy the removal of any tax yielding six millions; still less to suppose that the great article of beer can in our time be set free from charge. But I do venture to point out that our present position with reference to the repeal of indirect taxes is scarcely as good as it may possibly be a short time hence. Down to the present time we have felt it a paramount obligation to apply a portion of whatever measure of relief we felt ourselves in a condition to give towards the reduction of the Income Tax. Supposing the reduction of the Income Tax now to have reached its term — or at the time, be it sooner or later, when it shall have reached its term—it is evident that the state of things, and the position of the House of Commons with regard to the remission of indirect taxation, will be different. So soon as the Income Tax shall either have been abolished, or reduced to a point at which the House may deem that it may hold its hand and is not called upon to do more in that direction, this House will be free to deal much more largely, than it can do at present, with indirect taxation. It will be relieved, as far as Income Tax is concerned, from what it has recently felt to be an obligation to make a fair and equitable division of its bounty between direct and indirect taxation. I do not presume, however, to hold out any prospect, or to offer any opinion on this point, nor do I ask the Committee to imply any such opinion. My business, and that of my Colleagues, is simply, from the case before us, and with reference to the present year and to existing circumstances, to arrive at the best conclusion we are able; and we have arrived at a double conclusion. First, that it is not in our power, with justice, to ask the House to absorb so very large a portion of the surplus of the present year as would be absolutely necessary, together with the further burdens that would be entailed, if we were now to make a partial remission of the Malt Tax; and secondly, as the result of that examination of the relative weight of taxation to which we have been invited —and almost forced — we are of opinion that the first and best step we can ask the House to take is to do an act of justice which has hitherto remained undone, and to place the duty payable by the consumer of tea upon a footing more nearly resembling that of the duty upon beer.

And further, Sir, considering it our duty to make a proposal on this subject, we have thought it better to make that proposal one of a decisive character; such as will afford to the consumer the benefit of a sensible and considerable reduction. Taking what is called the long price of tea —that is, the duty-paid price of tea as delivered out of bond—we find that it is usually delivered out of bond at 2*s.* 6*d.* per lb. That is somewhat higher than the present rate; but if the actually selling price be lower, so much the better will be the effect of the reduction. Now we are of opinion that if we can reduce the duty by so large a sum as 6*d.* in the lb., we shall cause a reduction in the whole price of the article, eventually at least if not instantly, of more than 20 per cent. This reduction, with the growing inclination and taste of the country, and with the increased importation to which it will no doubt give rise, must impart a powerful stimulus to the consumption of the commodity; and will, we trust, place this most valuable and most healthful of all the luxuries of the poor within the reach of many who now do not enjoy it at all, or who only enjoy it in a very limited degree. Under this head then, Sir, Her Majesty's Government have to make a very considerable proposal; and I do it, in their name, with a distinct intimation that if the Committee when it comes to vote upon the subject should agree to the change, it will not be in our power, with propriety, to make any other proposal bearing upon the subject of indirect taxation during the present year.

The estimated consumption of tea, apart from the reduction of duty, for the year 1865-6, was 92,000,000 lb. The loss upon this amount of consumption, at 6*d.* in the lb., supposing it were all loss, would amount to £2,300,000. I have taken, however, the recovery from that loss from the increased use of tea to an extent of 9,000,000 lbs. to be £225,000, and I think that with favourable circumstances the recovery may go even beyond that limit; but no higher figure could be taken in conformity with the usual rules of prudence which guide the Department of Customs in the advice they tender us on a subject of this kind. Probably, therefore, the change would cause for the full period of twelve months a loss of £2,075,000; but a portion of the year would have elapsed—and indeed nearly a month has already elapsed — before the change could come into operation. And here I may take the opportunity of saying that if it be agreeable to the Committee, as I trust it will, I shall ask them to vote upon the Resolutions I am about to submit on the subject as early as on Thursday next. On the assumption, then, that about one-tenth of the year will have elapsed before the new duty will come into operation, and therefore deducting one-tenth or £207,000 from the sum of £2,075,000, the loss for the financial year by the reduction of the duty will probably be £1,868,000; while in the year 1866-7 we shall have to reckon on a further loss of £207,000.

The next subject upon which I have to trouble the Committee—and I am happy to say we are now passing rapidly through the matters I have to lay before them—is the question of the Income Tax. Now, I think that if this Parliament were challenged as to the reason why it has not dealt with the Income Tax in a more sweeping manner than that which it has actually adopted, it would be easy to point for an answer to a single one of the many figures which I laid before the Committee at an earlier period of my address, showing that even after the reductions of the last few years, yet ten or twelve millions a year had been added since 1853 to the expenditure of the country. Besides this we must bear in mind that it would have been impolitic, not to say impossible, to suspend all other remissions of taxes for the purpose of applying our whole force to the reduction or the abolition of the Income Tax. Now, even without allowing for the relief from the long Annuities in 1860, I have pointed out that £10,000,000 a year has been added to the gross total of the public expenditure. Undoubtedly, notwithstanding this great augmentation of charge, if Parliament had thought fit to forego every other object, we might now be in a position to extinguish the tax on incomes. But I do not think it would have been conformable to the equity and fair dealing, which usually distinguish the proceedings of this House, if any such plan had been adopted. Independently of this consideration, there is an opinion more or less widely spread in the country and in this House, an opinion which, for aught I know, may be the opinion of the majority of this House, but upon that point I do not undertake to say anything—that the Income Tax is a tax fit to be permanently retained. ["Hear, hear!" "No!"] I am not now referring to my own personal opinion, which is the same it has ever been. But that is an affair of infinitely small moment. Neither do I wish it to be taken for granted that either the House or the Government has committed itself finally on the highly important question, whether the Income Tax ought or ought not to be retained as an ordinary and permanent part of our system of finance. Whatever may be our individual opinions, this question is a subject of great importance, which in another Parliament may have to be considered with a view to a practical issue. There are, indeed, those who hold that there is an obligation affecting me personally, and affecting no one else, which binds me to bring about the extinction of the Income Tax. In that view I cannot participate; for the extinction of the tax must depend on the judgment of the country and of Parliament, not on mine. But, undoubtedly, I do think it is appropriate to the function of this Parliament, and the Government is of opinion that it is part of the duty of this Parliament in particular, that we should do what we can towards the reduction of the Income Tax to what may be estimated as its proper *minimum.*

It is, Sir, at this moment, in our power to make such proposals, as will leave the Income Tax within manageable limits. The Income Tax at present is at a point the lowest it has ever up to this time reached; I mean that practically it is now levied at a rate as low as at any previous time. It is perfectly true that for a moiety of one year—namely, the year 1858-9, it was at 5*d.*, but for the other moiety it was at 7*d.*; and the average for the year has never been lower than 6*d.* Well, Sir, we now propose to ask Parliament to remove from that tax of 6*d.* one-third of the amount, and to bring the rate down to 4*d.* in the pound. If that proposal be accepted—and I confess I do not anticipate its rejection—the effect will be to reduce the annual yield of the Income Tax—not in the first year, but after the reduction has taken full effect—to £5,200,000. That would be the amount of the tax, and that would be the condition in which we should hand it over to the new Parliament. We estimate that £5,200,000 would be the produce of the Income Tax at 4*d.*, for the value of the penny has progressively risen. It was once my duty to state, and it was then learned with satisfaction, that the value of the tax was one million for each penny; it is now my duty to state, and it will give you no less pleasure to hear, that each penny of the Income Tax produces £1,300,000. By giving the Income Tax at that reduced rate over to the hands of the new Parliament, I think we shall accomplish a double object. If it shall be the pleasure of that Parliament, and if it shall also be the desire of the country, to approach that tax with a view to its extinction, the amount of the tax will have been brought within such limits that it will not be beyond their reach to adopt measures which would permit that object, in any fairly favourable circumstances, to be rapidly and effectually attained. But if, on the other hand, it shall be the view of Parliament and the people, that it is wise permanently to retain an Income Tax—an Income Tax at a low rate—as part of the ordinary financial provision of the country, then that rate at 4*d.* is the rate at which, in time of peace, and in the absence of any special exigency, we believe it may be most justly and wisely so retained. Such, Sir, is the condition in which we propose to place the great financial subject of the Income Tax; a condition which will make its retention easy, if the country desire it to be retained; and its extinction practicable, if the country should wish it to be abolished.

A penny of the Income Tax produces, as I have said, £1,300,000. The final loss to the Exchequer, therefore, and the final restoration to the public at the expense of the Exchequer, from the adoption of our proposal, will be £2,600,000. Of that sum a proportion reaching not quite two-thirds will accrue in the year 1865-6, namely, £1,650,000; the loss of the remainder, or £950,000, will, as we estimate, not accrue till the financial year 1866-7. So much for the Income Tax in connection with the financial operations of the present year.

And now, Sir, I come to the only remaining Resolution with which I shall have to trouble the Committee. There can be no doubt on the minds of those who hear me, even before I speak it, that I refer to the subject of Fire Insurance. I may properly begin by reminding the House that on the 21st of March it arrived at this Resolution—

> "That, in the opinion of this House it is expedient that the reduction of the Fire Insurance Duty made in the last Session be extended at the earliest opportunity to houses, household goods, and all descriptions of insurable property."

On that Resolution the House divided, with the following result:—Ayes 137, Noes 65. Among the "Noes" were found many Gentlemen who have been the steady and invariable and earnest supporters of the repeal or reduction of the Fire Insurance Duty; and also many Members of the Government, who, in asking the House, ineffectually, not to adopt the Motion, did not grapple with it upon its merits, acknowledged the importance and force of the judgments which the House had been pleased to give, and only deprecated what they thought, but the House did not think with them, to be an inconvenient and premature declaration. I have thus referred to the Resolution, and in some degree analyzed the Division upon it, for the purpose of showing that little room for doubt has remained upon the mind of the Government as to the course which they should

[☞ 2 O *follows.*]

take. Indeed, the two sums which I have given—£1,868,000 for the Tea Duty, and £1,650,000 for the Income Tax, amounting together to £3,518,000, show that there remains to us but a narrow margin. At the same time, that margin is sufficient to enable us to meet the expressed wish of the House.

Now, Sir, the measure of last year relating to this subject will require notice from me for a few moments. The portion of the Fire Insurance Duty with which we dealt last year was essentially distinct from the portion with which we did not deal, in this respect—that the former was a tax upon trade, upon industry, and, therefore, virtually a tax upon consumption, whereas the remaining portion is a tax upon property. But let not the House be afraid that, in stating that distinction thus broadly, I am about to venture upon urging it as an argument for the imposition of a difference of rate of tax. The desire of the House for an uniform rate has been clearly and unmistakably expressed, and we have not the smallest idea of disputing it. It is, however, desirable to keep in view the essential distinction between the two portions of the tax. The experiment of last year has not yet been fully tried; it has been only nine months in operation, and we have not as yet got so much as a full year's receipt of the new duty upon stock-in-trade; but I am bound to say that, as far as it goes, the experiment does not enable us to be very sanguine as to the ultimate results of the reduction in producing a recovery of Revenue by the increase of the practice of insurance. There seemed to be high authority for taking a more sanguine view at the time; but although my estimate was not very exalted, for it was framed upon the assumption of a moderate recovery—namely, an increase of 10 per cent in all, in which was included the ordinary annual increase—the result has shown a figure even less. It was stated, and stated strongly, by hon. Gentlemen in the discussion of last year, that when we came to deal with that portion of the Fire Insurance Duty which affects property the result would be more satisfactory, and that a larger increase, and a larger recovery of Revenue, would take place in regard to that portion of the tax. How that may be I do not presume to say; but undoubtedly, as far as stock-in-trade is concerned, the remission has not, up to this moment, proved very successful in its results. Still, I do not grudge the reduction which has taken place, because that tax, as applied to stock-in-trade, was unquestionably a tax upon industry, and the benefit of the remission and of any consequent increase of insurance, whether in itself small or great, is certain to find its way to the consumer of those industrial and commercial products which are the subject of the tax.

Now, Sir, it has been a common thing to say in the House of Commons, that the tax on Fire Insurance is a tax on prudence. In such arguments as I have ever employed, so far as I can recollect them, in resisting Motions for the repeal or reduction of the duty, I have not been used to defend the tax upon its merits. My arguments have, I believe, been mainly based on the doubtful nature of the very sanguine anticipations of recovery upon which most of those Motions have, to a great degree, been founded. However, I think that the definition of the tax, as a tax on prudence, may be amended; and that we might call it, as to the chief part of it, with greater accuracy a tax upon property, but with a double exemption; the one being an exemption in favour of improvidence; and the other an exemption in favour of those large holders of property in the form of houses and buildings, who are able to take their chance, and perform for themselves the function which is called self-insurance. I must say that no part of the argument ever used on the subject of Fire Insurance has appeared to me to tell so strongly against the present state of the law as this, because it is said, and, as I think, said unanswerably, "If you are to make insurance against fire the means of imposing a duty upon property"—and my hon. Friend the Member for Buckingham, I think, (Mr. Hubbard) showed clearly that the duty of 3*s.* per cent was equivalent to an Income Tax of 7*d.* in the pound upon houses and buildings—"it ought to be imposed equally, and there ought not to be a virtual exemption on behalf of large holders of property." That, as it appears to me, is an argument to which there is no reply.

Now, as I have said, the general expectation of the House is that if we make the reduction which is pointed out by the Resolution adopted on the 21st of March there will be a considerable recovery of Revenue from increase of insurances against fire. Whatever recovery there is will undoubtedly be a very great good, because it will indicate a mitigation in the inequality now caused by a large exemption from the tax; and it will also show that the inducement to self-insurance is operating with less force than that with which it has heretofore operated. We, therefore, at once admit, and we admit especially in deference to the authority of the House, that the experiment is perfectly well worth putting to the proof; and as we have still remaining at our command the means of trying the experiment, we intend to place in your hands, Sir, a Resolution for the purpose of giving it effect. If the experiment should succeed —if, relatively to the amount of reduction, the recovery should be large—then, as I have said, a great good will be accomplished. If the experiment should appear on the whole to fail, then undoubtedly it may be the duty of another Parliament, of perhaps another Government, to look further into the question, and to consider maturely, whether Fire Insurance ought not to be placed on a footing yet more, and far more, liberal and free. I know there are those who hold that insurance against fire is a thing which ought not to be encouraged, because it is an encouragement to carelessness. I take it, however, that the House has deliberately adopted the reverse of that proposition, and that it desires to see Fire Insurance placed upon the best possible footing, and carried to the greatest possible extent. It may, therefore, be the duty of some future Parliament, and of some future Government, to re-examine the question, in case the results of this measure should not be satisfactory; and if it should be found necessary to give a further relief at some future time from the Duty on Fire Insurance, undoubtedly the House will be disposed to look at the elements of which the duty is composed; one of them being a tax upon property, which must be considered in conjunction with other taxes imposed upon property, and as such forming an essential part of our fiscal system; and the other a Tax on the act of Insurance, which is in itself purely a commercial operation, and which, as it would seem, ought to be looked at in regard to the nature of the risk, rather than to the value of the property to which it applies.

I come now, Sir, to explain the estimated financial effect of this reduction. The Revenue from Fire Insurances in 1865-6, apart from any change, was taken at £1,450,000. We propose to reduce the duty to an uniform duty of 1*s.* 6*d.* from June 25. We shall add to the Resolution of the House a further change of minor consequence, which was not indicated in the Resolution, but which I am quite sure will be universally approved, and that is a diminution of the duty of 1*s.* upon the insurance policy, which is quite distinct from the 3*s.* imposed annually on the renewal of the policy. That charge of 1*s.* forms a serious impediment to small insurances. In the larger, and even in the middling insurances, the Company takes upon itself the payment of the shilling; but in insurances from £300 downwards the Company requires the insurer—and it is not at all unreasonable—to bear this charge. The consequence is that the man who is insuring £100 has to pay 4*s.* per cent upon his first year, and the man who insures £200 has to pay 3*s.* 6*d.* per cent. We, therefore, propose to substitute for the shilling duty a penny stamp; but at the same time expressly to require the penny stamp to be put upon the receipt given for the money, which the spirit of the present law requires, though I am not sure that it has been practically enforced. The financial result will then be this. The actual payment of this duty is usually three months in arrear, and the change will only take effect at the close of the first quarter of the financial year. Accordingly for the first half-year we shall receive the old duty. The old duty was taken at £1,450,000, and half of that would be £725,000, which we shall expect to receive. The yield of the new uniform duty of 1*s.* 6*d.* we take for a whole year at £930,000. That is a reduction of £520,000 for a full financial year by the measure you are now invited to adopt, and this sum of £930,000 includes an estimated increase of 10 per cent upon the description of insurances we are now going to reduce. One-half then of the old Revenue which we should get would be £725,000. On the remaining half-year we should receive one-half of £930,000, or £465,000; and putting these two sums together we have £1,190,000, instead of £1,450,000, showing a loss for the present year of £260,000, while we necessarily have to reckon for the next year on a loss of £260,000 more.

Sir, I will now state very succinctly the results of the several changes which we ask the House to adopt. First, I will give the total amount of relief which these changes will afford to the public when they have come into full operation. The full relief given upon tea will be £2,300,000; upon the Income Tax, £2,600,000; upon Fire Insurance, £520,000; the total of these figures, representing the whole of the operations you are now called upon to sanction, will be £5,420,000. I now come to the actual loss which we must expect to encounter in the financial year already commenced. The loss from the reduction on tea will be £1,868,000; from the reduction in the Income Tax, £1,650,000; and from Fire Insurance, £260,000. The total loss for 1865-6 would thus be £3,778,000. In 1866-7 there will be a further loss upon tea of £207,000; upon the Income Tax, of £950,000; and upon Fire Insurance, of £260,000; showing a further burden for 1866-7 of £1,417,000, or a total amount of loss to the revenue, for the two years taken together, extending to the sum of £5,195,000. The figures, however, at which we have to look most minutely now are those which state the total amount of the loss for the present year—namely, £3,778,000. So much has to be deducted from a surplus which I stated at £4,031,000; and the remainder, the very slight surplus which I ask the Committee to permit us to retain in our hands, will be £253,000. It will be seen that, after deducting that surplus from the burden of loss to be laid upon the year 1866-7 by the legislation proposed for the present year, there will still be an estimated charge of about £1,160,000 which we are now imposing upon the resources of the next year. And it may be asked whether that is a prudent measure. My answer would be twofold. In the first place, when you deal with taxes upon property, you deal with taxes which are receivable in arrear of the period to which they refer; an inconvenience which has been much mitigated by the change introduced in 1860, with respect to the Income Tax, but which we have not been able wholly to remove. Therefore in such cases it is absolutely inevitable that our legislation should, to a considerable extent, affect the balance of the year succeeding that for which we immediately legislate. That is my first answer. But I likewise remark that, looking to the state of the country, and to the fact that we are dealing with the Revenue, not of one year, but of two years, and that the increment of the Revenue even for one of these years would, in the natural and ordinary course of things, come to a larger sum, I do not think that the Committee need scruple on the score of prudence to accede to the proposition which Her Majesty's Government have instructed me to submit.

There is, however, Sir, another request which I have to make of the Committee, and which I trust they will be disposed to grant. It is that they will join with us in shielding resolutely against any sort of invasion that modest, possibly too modest, sum of a quarter of a million which I ask that we may be permitted to retain. Sir, we have felt ourselves to be like persons enclosed within a secured and well-girt precinct, while outside the door we have crowds of hungry claimants. The more prosperous the country is, the larger the surplus available for the remission of taxes, the greater is always the number who demand remissions. We see the famishing crowd without, on all sides and of all kinds—

> "Circumstant animæ dextrâ lævâ que
> frequentes."

We have opened the door to those who we thought had in equity the strongest claims, and whose claims we might be able to satisfy. But there remain many behind. There are many Customs duties with which it may still at a future time be desirable to deal. It is not necessary to name them. There are duties still remaining upon raw materials, and there are other duties which undoubtedly it would be most desirable to repeal. But I hope the Committee will think with us that we have acted wisely in proposing a heavy reduction on the great article of tea, rather than in distributing what we have been able to afford in smaller and less effective amounts. Then passing beyond the department of Customs there is the claim to the abolition or the reduction of the duties on public conveyances. That is, I think, a claim for which there is much to be said; and glad shall I be when the time comes at which a favourable ear may be given to the applications which bear upon that subject. There is, again, the powerful claim of those who are connected with the business of marine insurance. I cannot say that I think their case is by any means so urgent; yet, at the same time, it may be, within certain limits, a fair subject for future consideration. These are specimens; and, Sir, there are also many other claims immediately hanging over us in respect to which I trust that the House will support us in declining to make further inroads upon the Exchequer. And now I have especially in view a matter to which I was understood previously to refer—a proposal that will, as it appears, be made for the relief of a particular class from a duty which they have for some generations been liable and accustomed to pay. I am sure that if the House is prepared to enter upon the question of the relief of one particular class from duties which it now pays, whether in the shape of an annual licence, or in the shape of a stamp upon admission, it must, in order to satisfy the demands of justice, similarly be prepared to consider the case on behalf of the whole body of the interests so affected; but to deal with the whole body of those interested or, indeed, to deal with any of them, is neither compatible at the present moment with financial prudence, nor with the elementary principles on which the conduct of Parliament in fiscal matters should rest. I trust, therefore, Sir, that we shall have that support from this House for which I have asked, if it thinks that our proposals are upon the whole reasonable and just, and that they have, likewise, been carried to an extent as wide as the circumstances in which we stand will warrant. I must confess that I cannot but entertain a very sanguine hope as to their acceptance. I am so sanguine as to believe that the immense difficulties I have described as lying in the way of any effectual dealing with the Malt Tax at the present juncture may have made some impression even on minds which were favourably predisposed towards its remission. It is a great satisfaction to myself, as it is also to my Colleagues, to believe that the proposals we now tender are proposals which may be not unacceptable to hon. Gentlemen on the other side of the House. They are few—they are simple—they are intelligible. If it had been compatible with my duty to submit them without illustration or explanatory statement, they might probably have been imparted in fewer words than those of any Budget that has ever dealt with an extended remission of taxation. And, Sir, we are strong in the persuasion, first of all, that they are likely to win the approval of this House; and second, that they will likewise obtain the favourable verdict of the nation whose interests it is our duty, to the best and the utmost of our power, to study and defend.

The Chancellor of the Exchequer

Motion made, and Question proposed,

"That, towards raising the Supply granted to Her Majesty, in lieu of the Duties of Customs now charged on Tea the following Duties of Customs shall, on and after the 6th day of May 1865 until the 1st day of August 1866, be charged thereon on importation into Great Britain and Ireland: viz.—

		£	s.	d.
Tea	the lb.	0	0	6"

THE CHANCELLOR OF THE EXCHEQUER then moved that the Chairman report Progress, and ask leave to sit again.

MR. WHITE: Sir, with the greatest respect for the high authority of the right hon. Gentleman the Chancellor of the Exchequer, I regret to say I differ from him in accepting the magnitude of our exports as an infallible test of the prosperity of the country. I cannot admit that the greatness of a nation's exports is a significant or sufficient criterion of the aggregate well-being of a people. The right hon. Gentleman, as a proof of our superior prosperity, has adduced the fact that the exports of Holland and Belgium have not increased in the same ratio as our own, but he has forgotten that the social condition of the great bulk of the population of those small but flourishing kingdoms is incontestably better than our own. We all know the vast value of the exports of the Southern States of the American Union prior to the civil war, yet who would aver that the slaves—the producers of those great staples, cotton, tobacco, and sugar—shared in the wealth which their own labour had created? To come nearer home, I must say that this assumption of the right hon. Gentleman is negatived by the fact that Ireland largely exported articles of food when her own inhabitants were in the very agonies of a famine. The best test to my mind of the prosperity of a country does not consist in the magnitude of its exports, but in the social well-being and comfort of the great bulk of the community. The Chancellor of the Exchequer has told us that the condition of the country is prosperous and satisfactory. Glad should I be could I concur with this view of the case, but I cannot do so, when from the official report of the medical officer of the Privy Council I learn that quite one-fifth of the whole population obtain, owing to the scantiness of their earnings, too little food to keep them in proper health and vigour. Has not the recent report of Dr. Hunter on the Public Health told us that the household accommodation and domestic circumstances of a large portion of the labouring classes is in the highest degree deplorable, if not absolutely revolting? Almost every page of Dr. Hunter's Report bears terrible testimony to the truth of the recent declaration of an eminent constituent of the right hon. Gentleman the Chancellor of the Exchequer—I refer to the Professor of Political Economy at Oxford—namely—

> "That the English field labourer has no parallel in the civilized portion of the earth. Paint his life in the darkest colours, and you have not even then described the wretchedness of his condition."

If this can truly be said of the rural population, how stands the case with the same class in our cities and towns? Why, it cannot be denied that a large portion now exist in a state of ghastly poverty, herding together in filth and squalor indescribable, heedless or unconscious of the ordinary dictates of morality or decency. The history of the world would hardly exhibit a parallel to the co-existence of so much privation in one portion of the community, and so much prosperity in another — the almost unbounded wealth of the few, with the unceasing poverty of the many — a marvellous augmentation of the resources of the realm with the very scantiest increase of the comforts of the people. That this statement is not exaggerated I can prove by the latest Poor Law Returns. They are from 655 places in England and Wales, and show out of a population of 19,885,912, there were 1,011,753 paupers, and of that number nearly 50 per cent were able-bodied. When, in addition to these, we remember that there were millions who were always on the very verge of pauperism, I cannot, in spite of the opinion of the right hon. Gentleman, regard the present condition of the country as satisfactory. Nor is this all, for though we expend some £16,000,000 for paupers, police, public justice, and private benevolence, we yet learn from the judicial statistics that we have 130,000 known criminals at large to prey upon the rest of the community. It was stated at the last Social Science Meeting, and the statement was not contradicted, that the average wages of an adult agricultural labourer in the South Western counties was 9*s.* a week. Such a miserable stipend — with all our boasted prosperity — must be regarded as a social anachronism, to use no stronger language. By the Poor Law Returns the average earnings of our agricultural labourers, forming one-third of the whole of our working classes, was not more than 11*s.* per week, and it must not be forgotten that during the last half century quite six millions of our population have been constrained to emigrate. It is not, I consider, satisfactory to find how little better off is that class by whose hands such vast wealth has been created. Hence, whilst the Chancellor of the Exchequer might justifiably point with exultation to the stupendous magnitude of our exports, the marvellous growth of our imports, and the amazing development of our revenue, I must be pardoned if I venture to think that the scant and inadequate recompense for ordinary manual labour is a practical condemnation of our present social condition. Whilst it is very gratifying to find that the growth of the revenue during the last five years is at the rate of quite two millions per annum, still I should have been much better pleased if our legislation had tended more to the diffusion than the accumulation of wealth. That such is the case would seem obvious when we reflect how little the creators of our opulence participate in the enjoyment of it. It is calculated that two-thirds of the total product is the share of but one-seventh of the public; whilst the remaining one-third is distributed among the other six-sevenths of the community. I should have been glad to have learned from the Chancellor of the Exchequer out of his grand total of £70,313,000 how much was derived from direct and how much from indirect taxation. Then, perhaps, it would have been too apparent, that whilst only some seventeen millions were obtained from the realized wealth or property of the country, we still raised forty-two millions of our revenue by Customs and Excise duties on articles of ordinary domestic consumption by the great bulk of the people. Moreover, might not a further elucidation have demonstrated that of this total of forty-two millions of Excise and Customs duties, more than one-half was extracted — may I not say extorted — from the physical necessities (they have become such) or the physical enjoyments of the unenfranchised, unrepresented portion of the working classes? And yet the constitutional text-books lying on the table before me tell us that taxation without representation is — tyranny. In my humble judgment, property pays too little and poverty too much under our present fiscal system; for whilst we have been abandoning Customs duties paid by the rich, we have continued taxing for a vast revenue, articles mainly consumed by the poorer classes. With regard to the Revenue Estimates of the Chancellor of the Exchequer for the coming year, he must forgive me if I presume to say that I think he put his figures too low by one million at least. About a month ago I made my own Estimate and was bold enough to publish it. I then put the expenditure for the year ending the 31st of March next at £65,500,000, and the revenue at £71,000,000, which amount would have left more than five millions available for the reduction or remission of taxation. I am sorry the Government will require for the coming year £639,000 more than I had deemed possible by my calculation. Assuming no alteration in the existing scale of taxation — allowing for the reductions of the past Session which will come into operation in this financial year; in fact, adopting the same basis of Estimate as the Chancellor of the Exchequer, I still hold that my own Estimate will yet prove correct when the outturn of next year's income is known. I can well understand why the right hon. Gentleman habitually puts his probable income at too low a figure; for by so doing he avoids many importunate demands for relief from taxation, and moreover enjoys the satisfaction of having an annual surplus available for the diminution of the National Debt. Contrasting the present condition and the probable future of the country, the prospects of a favourable outturn of the revenue are more encouraging than at the corresponding period last year. Then the minimum of Bank-rate was 7 per cent, and it is now 4 per cent. Then the price of cotton was double what it is now. Then the early termination of the American contest was dubious. Judging by the recorded average price of wheat which, on the 15th instant, was precisely (namely forty shillings and one penny a quarter) as at the same date last year; one would infer that the prospects of the harvest were no better last year than at that date. Further, wool last year was 25 per cent higher than now, and other raw materials of manufacture were at enhanced rates compared with those now ruling. At this time last year sugar was 30 per cent higher, and stocks 35 per cent less—tea 12 per cent higher, and stocks 15 per cent less than at the present time. Moreover, throughout the whole of the past year loanable capital was excessively dear, and the minimum Bank-rate of 1864 reached the unprecedentedly high average of 7 1-16 per cent. By comparison with last year the employment of labour on the construction of railways and other home enterprizes must be greatly facilitated, and the consequent consumption of articles liable to Customs and Excise duties must be greatly promoted; as also by the political saturnalia of a general election and the disgraceful expenditure it will involve. Seeing that the anticipated revenue is drawn from the same fiscal sources as heretofore; and besides, as far as I can make out, the average increment of the last three years' revenue has been at the rate of two-and-a-half millions per annum; I am constrained to think that we shall have on the 31st of March, 1866, quite as good a result as during the preceding three years. Before I sit down I must thank the Chancellor of the Exchequer for his judicious boldness in proposing such a telling reduction of the Tea Duty. On a recent occasion I recorded my opinion that in justice to the working classes the duty on tea should be forthwith reduced, but I confess that at the same time I avowed my belief that I did not expect the right hon. Gentleman would have the courage to propose the reduction of a duty which had been so recently lowered by Parliament, at his own recommendation. In conclusion, the Chancellor of the Exchequer must pardon my remarking that I think he claimed undue credit for the diminished scale of expenditure for the past two years and for the ensuing one. I must be forgiven if, as a humble Member who has uniformly, albeit ineffectually, protested against the extravagant expenditure of the Government—if I presume to say that I do not accept the greater prodigality of the past as a valid excuse for the lesser but still incontestable wastefulness of our present expenditure. The Chancellor of the Exchequer has referred to what the new Parliament may be called upon to do. Hence I would express my hope that it will find itself bound by every obligation of duty, and by every principle of political honour, to press upon Ministers the urgent necessity of public thrift and judicious retrenchment. I feel so strongly on this point, that I trust one of the earliest Resolutions of the new Parliament will declare that no Ministry is worthy of confidence which shall venture, in a normal condition of public affairs, to ask for more than sixty millions per annum for the whole Government expenditure. I am quite confident that that amount is more than is really needed to discharge every public obligation, and to maintain in full efficiency all the establishments of the Government. In this conclusion I am fortified when I recollect that sixty millions are quite seven millions in excess of what sufficed for the average annual expenditure of the ten years preceding the Russian war. During the whole of that period the average yearly expenditure, adding the cost of collection, was fifty-five millions; but then also was included the payment of £2,149,000 per annum, the amount of the Terminable Annuities, which expired in the year 1860. We have since remained at peace in Europe, and yet during the last five years we have been expending annually sixteen millions more than on the average sufficed during the ten years prior to the Russian war. What we have got for this stupendous outlay as regards international influence and *prestige* may be gathered from the Dano-German debate of last Session. What we have gained by this enormous expenditure in home strength and external power may be learned from our recent discussions on the Army and Navy Estimates. According to the concurrent testimony of right hon. Gentlemen and gallant Officers, sitting on both sides of the House, we have now no guns and no ships which are able to do efficient service. It is true we have fixed forts, but on movable foundations, at Spithead; iron-clad ships wholly unseaworthy, but admirably adapted for shore batteries, and a highly interesting collection of smashed targets (a specimen of which can be seen at the Crystal Palace), which accurately represent the sides of that ship of the future which, by no conceivable chance, could ever be exposed to such rough treatment. In conclusion, whilst I deliberately record my protest against the magnitude of our present expenditure, I wish I could indulge the hope that Parliament and the country would never again be deluded by Ministerial declarations into mistaking costly inefficiency and unproductive expenditure for permanent security and national strength.

MR. BENTINCK said, he had listened with great interest to the very eloquent speech of the right hon. Gentleman, but he wished he could say that his satisfaction had equalled his interest. He was somewhat amused to observe that the first class of persons for whom the right hon. Gentleman had thought proper to express his beneficent intentions were the special pleaders, and he was bound to say the latter portion of his speech explained the grounds on which the right hon. Gentleman looked so favourably on that particular profession. But the right hon. Gentleman had gone beyond special pleading, and in one part of his speech had dealt in vague and unfounded assertion. Taking every opportunity of putting forward the completeness of his conversion to the doctrines of free trade, the right hon. Gentleman told them he not only objected to protection for Englishmen against the foreigner, but that he protested as strongly against protection for the foreigner against the Englishman. Was the case of rags for the manufacture of paper, or the position of the riband and silk weavers, present to the mind of the right hon. Gentleman when he made that statement? Had he not in these instances been the champion of protection for the foreigner? He did not think those afflicted interests would regard the remarks of the right hon. Gentleman on that subject with any satisfaction. But the particular object he had in rising on the present occasion was to advert to the manner in which the Chancellor of the Exchequer had thought proper to deal with the question of the duties on malt. The right hon. Gentleman said that those who sought the reduction of the malt duties had no right to ask for any favour, for no class of industry had been so favoured by legislation. Now, he would tell the Chancellor of the Exchequer what class had been favoured, clearly, distinctly, and grossly, to the prejudice of the rest of the community. It was the class which had embarked in the special industry of publishing penny newspapers. Was it not clearly and distinctly a case of class legislation when the duties on paper were repealed? All that had been said about the advantages of the diffusion of knowledge might be classed among the "Flowers of Rhetoric." It was not a question whether they should enable the people of this country to have access to a larger amount of information at a lower rate—every man in the country, however small his means, might have obtained any amount of the cheapest literature before the repeal of those duties—but the object was to give a substantial money benefit to a small but influential class, who were able in return to give very powerful support to the Government. When, therefore, the Chancellor of the Exchequer called on those who desired a repeal of the malt tax to forego their complaints on the ground that no other class had been unfairly favoured by legislation, he begged to deny the assertion. So long as the wisdom of Parliament considered it right to maintain the present legislation on the subject of paper, every other class would have a right to complain of gross and unjust class legislation. The right hon. Gentleman had made another remarkable assertion, which showed how far he was trusting to information received from others. It had been proved, he said, that malt was not a good description of food for cattle; but in the rural districts the right hon. Gentleman would find a large number well qualified to form an opinion on that question who took a totally different view of it. Another assertion was still more startling. He said that even if malt was beneficial as food for cattle, his Act of last year provided every possible facility for applying malt to that purpose. Why, it was well known that the Act of last Session was encumbered by so many provisions and vexatious arrangements that it was practically inoperative. The right hon. Gentleman asked whether those who complained of the malt duties sought for their reduction or entire abolition. Now, he (Mr. Bentinck) would frankly avow his belief that no reduction of the duties on malt short of their entire removal would be really beneficial to those who complained of them in their present state. Whether it was possible to do away with the tax at once was another question; but he should not be dealing frankly with the House did he not state that, while he and those who agreed with him merely asked at present for a reduction of the tax upon malt, they looked forward in the course of time to the total abolition of a tax which pressed so unfairly upon a particular portion of the community, and which was so vexatious in its character. The right hon. Gentleman stated that beer drinking was on the increase, and that therefore the growers of barley ought to be satisfied; but in making that assertion he had not taken into consideration one or two points which bore strongly upon the subject; for instance, he had not taken into account the very great increase of late years in the quantity of beer exported. The real grievance of the consumer was that by reason of the existence of the duty on malt beer was both bad and dear, while what he (Mr. Bentinck) anticipated that by the reduction of that tax was that he should obtain a better and a cheaper article of consumption. The right hon. Gentleman entered into a somewhat singular calculation, and endeavoured to console those who sought for the repeal of the duty by referring to the comparative price of wheat and barley, and told them they ought to be content when there was so little difference between the prices of the two articles. That, however, was a total misconception of the real state of things. Thanks to the right hon. Gentleman and to others who had dealt with our finances for many years, the price of barley had not been raised to that of wheat, but the price of wheat had been forced down to that of barley. He (Mr. Bentinck) did not consider that much ground for consolation. The right hon. Gentleman proceeded to say it was not right to lay a heavier tax upon wine than upon beer. Of course, he did not expect to receive the assent or sympathy of the right hon. Gentleman and of those Gentlemen who were wont to say that such a thing as a Protectionist could scarcely be discovered in England; but, nevertheless, he felt bound to assert that many millions of his fellow-countrymen would infinitely prefer that a tax should be laid upon the Frenchman's wine instead of upon the Englishman's beer. Therefore, when the right hon. Gentleman proceeded to draw parallels between the tax upon wine and that upon beer he was only carrying out that most mischievous portion of the doctrine of free trade which postponed the interests of the Englishman to that of the foreigner. The right hon. Gentleman, in order to wind up with one of those pleasant suggestions he knows so well how to make, told them that, although he was not going to deal with the malt tax now, they must not despair, as he did not say that at some future time some future Government might not deal with the duties on malt, and that perhaps they might look forward to the question being attended to by the House of Commons when the income tax had been repealed. Certainly, that prospect was but poor consolation to those upon whom the tax was now pressing with great weight. The right hon. Gentleman concluded his speech by saying that he believed the nation would approve his Budget. He wished to know what the right hon. Gentleman meant by the words "the nation?"—because it would appear that he had fallen into the very common error of regarding as the nation that portion of the community which was most frequently represented in that House, and who, therefore, held the control of the financial measures of the Government. If that body were to be regarded as "the nation," no doubt "the nation" would approve the Budget of the right hon. Gentleman. But he ventured to think that there was another portion of the population and the wealth of the country which had been lost sight of by the right hon. Gentleman, and which was entitled to be considered as coming within the pale of "the nation," who would not approve the statements which had been put forward that evening. He could only express the hope that that part of the community to which he had alluded, and which had been so long endeavouring to procure a remission of one of the most unjust taxes that ever existed, would not relax their efforts, but would see that their only chance of forcing upon any Government any remission of this unjust burden was by trusting to their own unaided energies and by relying upon their own unceasing exertions.

Mr. MARSH said, he could not agree in the remarks of the hon. Member for West Norfolk (Mr. Bentinck), for he regarded the reduction of the price of wheat as one of the greatest blessings ever granted to the country. His right hon. Friend the Chancellor of the Exchequer, in his most admirable financial statement, had argued that the increase in the imports of the raw material for the manufacture of paper showed that the repeal of the paper duties had acted as a strong stimulus to the manufacture of paper in this country; and then, against this increase in the importation of the raw material, he set an alleged decrease of the English raw material, from the supply of cotton-waste having diminished. But the contrary was the case. The waste of Indian cotton, of which a large quantity had been imported during the last year or so, was 20 per cent greater than that of American cotton, and therefore the decrease of cotton-waste must have been but small, and could not be regarded as counterbalancing the large increase in the importation of the raw material for the manufacture of paper. The right hon. Gentleman's argument with reference to the malt tax was most conclusive and unanswerable; but in one respect he might strengthen it to some extent. The right hon. Gentleman, in estimating the consumption of beer, had excluded women and children from his calculation, but had omitted to exclude the cider drinkers of the country, who might be taken roughly to amount to a million persons. His right hon. Friend had mentioned the fact that wine was sold in this country at the present time at 5*s.* per gallon. He had tasted that wine at some of the railway stations, and had been satisfactorily convinced it was most horrible stuff. It was retailed at the railway refreshment stalls at 6*d.* a glass, and as there were twelve glasses to a bottle, there resulted to the vender a profit of about 700 per cent. This was a state of things he wished to see altered, and he believed the only way to enable the public to obtain good cheap wine was to make the sale of wine a free trade. The sum received by the Exchequer from the sale of wine licences was but small, and the desire to retain it should not be allowed to prevent the public from obtaining cheap wine. The duty upon tea was to be reduced 6*d.* in the pound, which would relieve the poor man who consumed four ounces a week to the extent of 6*s.* 6*d.* per annum, the loss to the revenue being £1,700,000. If the poor man had a large family he would have to buy a bushel of flour a week, the duty upon which at 1*s.* a quarter would amount exactly to the same sum—namely 6*s.* 6*d.* a year. He wished the Chancellor of the Exchequer, with the boldness which characterized his operations in finance, had reduced the tobacco duty one-half. Tobacco was a very great comfort to a poor man, and often kept him out of mischief. He had lived in a country where there was free trade in tobacco, and where the working man was able to buy the best negro-head. If the Chancellor of the Exchequer had proposed such a reduction he had no doubt that in two years the Exchequer would be fully recouped and he would confer upon the poor man, upon whom the greater part of the duties were levied, a real boon. One of the most anomalous imposts remaining was the duty on timber. The duty on raw timber was 1*s.* a load; if it were split the duty was 2*s.* a load; but if it were worked up into pianofortes or a chest of drawers, it was not taxed at all. A ship built in America was taxed at 1*s.* per ton. Timber from Nova Scotia paid a duty of 1*s.* a load; but a ship built in Nova Scotia paid nothing at all. This was protecting not British industry, but the industry of other nations. The result was to a certain extent to induce farmers to grow ash trees in hedge rows, where they exhausted the soil, and to cause the larger trees to be cut down when they were very ornamental. At the same time he must express his approval of the Budget generally, and especially of the reduction of the duty on tea, which would be a great boon to the poor; and he should always rejoice to see their interests continue.

Mr. H. B. SHERIDAN said, that he, in common with the rest of the House, had felt the influence of the Chancellor of the Exchequer's eloquence, and there was one part of the right hon. Gentleman's masterly statement which gave him more than ordinary pleasure. He was nevertheless somewhat disappointed by his proposition with regard to Fire Insurance, for he had ventured to hope that his views might have taken a wider range, and that his policy would have been to reduce the duty to 1*s*. all round. He had submitted statistical evidence to the House which he hoped would convince the right hon. Gentleman that the effect of such a reduction would be to bring quite as large an amount to the Exchequer. But the right hon. Gentleman had not given the duty a chance of replacing itself, and he, therefore, for one, had no confidence in the result. He accepted the reduction, however, as a further instalment; and his only consolation was in hoping that in the next Session of Parliament the state of the finances would warrant him in applying for, and the Chancellor of the Exchequer in conceding, a further reduction of the duty to 1*s*.

Mr. DU CANE said, that the hon. Member for Salisbury (Mr. Marsh), who thought the Chancellor of the Exchequer had forgotten the important fact in reference to the malt tax that those who drank cider did not drink beer, appeared himself to have forgotten that those who live in cider counties used to know how to take care of themselves in matters of taxation better than those who grew barley; for when Sir Robert Walpole proposed to levy a cider tax they nearly got up a rebellion. Those who lived in barley-growing counties, however, sought for redress in a quieter manner. He did not wish, on the present occasion, to discuss the details of the Budget; but, as the representative of a barley-growing constituency, he could not help expressing, not his sense of disappointment, for he had never had much hope on the subject, but his sense of the injustice with which the right hon. Gentleman the Chancellor of the Exchequer had met the fair and temperate claims of the agricultural interest in respect to a reduction of the malt tax. Several of his friends were sanguine enough to believe that the Chancellor of the Exchequer's mysterious silence on the Motion of his hon. and learned Friend (Sir FitzRoy Kelly) was neither more nor less than the silence of consent, and that they had only to wait until that evening to be thankful to the right hon. Gentleman for a pleasing surprise upon the malt tax question. For himself, he had not shared, in the slightest degree, in that delusion. He had always thought the prize was one of far too much value and importance to be parted with by the Chancellor of the Exchequer upon any smaller compulsion than that of a majority of the House of Commons. But the weapons which the right hon. Gentleman employed against the advocates of the reduction of the malt tax were quite worthy of such a master as he had always shown himself in the art of evading pitched battles on the main question at issue. Last year he met the agitation by his Malt for Cattle Bill, the utter inutility of which the right hon. Gentleman had shown that night by his own statistics. The Motion of his hon. and learned Friend the Member for West Suffolk the right hon. Gentleman met this year by a Report from the Board of Trade, which affirmed statements that were at variance with the conclusions of nine out of ten of every practical farmer whose opinion he (Mr. Du Cane) had consulted. To-night the right hon. Gentleman had in the same spirit evaded the main question by a fanciful scheme for levying the duty by weight instead of by measure. As the right hon. Gentleman had told them that this would form the subject of a separate Bill, he (Mr. Du Cane) did not wish to discuss the details or prejudge the question. But without committing himself to a hasty opinion, he could not help fearing that the only effect of this change would be to open the door to frauds on the revenue without conferring any benefit upon the growers of inferior barley. The right hon. Gentleman had paid a feeling and a just tribute to the memory of Mr. Cobden; but he did not think that hon. Member had ever spoken more to the purpose than in one of the last speeches he addressed to the House, when speaking of the malt tax last year he warned the opponents of the tax that there would be quite as much difficulty in putting on the coping-stone of free trade as there had been in laying the foundation stone of the edifice; and when he also expressed his conviction that the advocates of the repeal of the malt tax were only at the beginning of a long and arduous campaign. What had happened that night had proved the truth of the prediction; and he (Mr. Du Cane) could not help thinking that the Chancellor of the Exchequer had thrown away a golden opportunity of doing the agriculturists justice. He found himself in possession of a surplus far larger than for many years past, and larger also than any Chancellor of the Exchequer might expect to have for many years to come, and his financial policy was on the eve of trial before the constituencies. He (Mr. Du Cane) had no wish to see the malt tax repealed at a single blow, and the deficiency made good by the income tax. He disliked the income tax, the tea duty, and the malt duty; but he thought that all taxes should be fairly considered in their turn. During the last four or five years the tea duties had been considerably reduced, the income tax had undergone successive reductions, the paper duty had been abolished—an instance of that class legislation which the right hon. Gentleman this evening had correctly described as a mistake of the grossest order—and surely now the time had arrived when it was the fair turn of the malt tax to be considered. The right hon. Gentleman had thrown away a great opportunity, for if he had reduced the income tax by one penny, dealt as he proposed with the Fire Insurance Duty, and had then employed the rest of his surplus to get rid of one-half of the malt tax, as an instalment towards its future repeal, he would have retained all his present friends, and would also have conciliated many who, as matters now stood, would be found in future to be his opponents. It was probable, looking to the result of the division which recently took place upon the Motion of the hon. and learned Member for Suffolk, that the present House of Commons would approve the right hon. Gentleman's financial scheme; but when an appeal was made to the constituencies he believed that a very different opinion would be expressed. No doubt cheap tea and cheap beer were equally acceptable to the working classes; but they ought not to be put in the same category as regarded the question of taxation. The duty on malt was a violation of a fundamental principle of free trade, because it fell on the raw material of an article of both home production and consumption, but the duty on tea was levied exclusively on an article of foreign growth and manufacture. The fact was that if malt was, in this case, to be compared with anything it ought to be compared with corn or bread and not with tea and sugar. Then as to the respective incidence of the income tax and the malt duty. If the mass of the labouring population and of the farmers were asked which they most objected to, they would reply that they would prefer the tax upon an article of absolute necessity to them to be reduced rather than the income tax, which they did not pay. The pressure of the malt duty, especially in barley-growing districts, was treble that of the income tax. For instance, a farmer cultivating 300 acres of land in a barley district would consume for himself and his labourers some 100 bushels of malt a year. Supposing his rent to be 30*s.* an acre it would amount to £450 a year, and the income tax upon one-half that amount at the present rate would be £6 5*s.* while the tax upon 100 bushels of malt would be £13 10*s.* Therefore the proposed reduction on the latter tax of 2*d.* in the pound would save him only £2 annually, while a reduction of the malt tax by one-half would save him upwards of £7. The right hon. Gentleman had made use of the old argument, of a comparison between the prices of barley and wheat, and showed that as the former maintained its value the farmer had no grievance to complain of. But that argument was a gigantic fallacy. No one ever denied that first-class barley always fetched a good price; but the effect of the Excise duty was to create a monopoly and to render all but the first-class barley unsalable for purposes of malting. The averages of prices, too, which the right hon. Gentleman had quoted were not fairly struck because they were taken solely upon first-class barley. [The Chancellor of the Exchequer dissented.] The right hon. Gentleman said "No;" but statistics, he thought, would prove his (Mr. Du Cane's) statement. However, he would not pursue that point; but would only add that if the hon. and learned Member for Suffolk should think it right to renew the contest he would be found again under the hon. and learned Gentleman's banner; but it was upon the hustings that the great battle of the malt tax must be fairly fought out, and he believed that when that battle was fought the right hon. Gentleman would find that he had reckoned without his host, and that an approval of his Budget would not be pronounced by a large portion of the taxpayers of this country.

SIR FRANCIS CROSSLEY said, he had listened with interest to the eloquent statement of the right hon. Gentleman, and approved of the main proposals of his financial scheme. He did not think that hon. Members were to blame for bringing under discussion such questions as the insurance duty and the malt tax even before the Budget, as it was their province to suggest to the Government what kind of Budget would be pleasing to their constituents. He had voted against the repeal of the malt tax and for the repeal of the insurance duty, and he was therefore glad to find that the Chancellor of the Exchequer had made a concession in respect of the latter duty, but he must not expect too great results from the modification. He had told the right hon. Gentleman last year that he must not expect too great an increase in the insurances on stocks, because manufacturers and merchants like himself had before the reduction always insured, when they were charged 7*s.* or 8*s.* per cent for extra risks; but when the premium was only 1*s.* 6*d.* upon furniture it would be questionable whether parties would insure to a large extent. Even with the reduction now proposed as there would still be a tax of 100 per cent upon prudence; and when the duty on beer was only 20 per cent surely that was an excessive rate. The hon. Member for Norfolk (Mr. Bentinck) had challenged the right hon. Gentleman's calculations as to the consumption of beer since 1722, because of the increased exportation of that article; but the hon. Gentleman himself overlooked the number of total abstainers in this country now who were not to be found in former times. The right hon. Gentleman seemed to think that Parliament ought to make some further effort to reduce our enormous National Debt; and in that opinion he (Sir Francis Crossley) entirely concurred. He should like the Government to set aside every year £500,000 for the purchase of terminable annuities, to expire at the end of 100 years; that sum thus set aside would ensure, at that period, a reduction of the Debt by a sum of £10,000,000, and that he thought would be a much better safeguard against future wars than our present enormous expenditure. He was glad that the duty upon tea had been reduced to so large an extent, as the consumer was likely to get the benefit from it; and he also approved of the manner in which the Chancellor of the Exchequer had dealt with the income tax.

MR. BARROW said, he could not share the satisfaction which had been expressed in the hon. Gentleman's proposition; for, although he was desirous to see a reduction of the income tax, he had no desire to be relieved at the expense of those who suffered grievously from the incidence of the malt tax. He protested against the charge, that in asking for a reduction of the malt duty, they were seeking for class legislation. No manufacturer paid duty on the article of his manufacture. The small farmer was very little affected by the income tax, but he was very largely concerned with the malt duty, which was a tax upon an article that he largely consumed; in fact, that tax fell as heavily upon him as the income tax did upon the large proprietor. It was said that if the malt tax was repealed, the landowners would raise their rents by an equal amount, but he had too good an opinion of the landlords to believe that statement. He differed from the remarks which the Chancellor of the Exchequer had made respecting the barley averages, and considered that his conclusions were drawn from incorrect premises. It was a fallacy to calculate the price of barley from the average price returned from the markets, for the average price to the grower was much lower than that. He was not asking for class legislation or favouritism, but as the manufacturer did not pay a tax on the articles of his manufacture, the farmer ought not to be taxed for barley, which entered so largely into his consumption for various purposes.

MR. WHALLEY said, that he had always been opposed to the malt tax, and he thought that if the hon. and learned Member for Suffolk had proposed to the Chancellor to repeal it, and to increase the income tax 2*d.* in the pound, that that right hon. Gentleman would have agreed to the proposal. He rose to express his satisfaction generally with the proposals of the Chancellor of the Exchequer, and particularly with the speech of the right hon. Gentleman. Looking at the reduction of the income tax and at the promises made by the right hon. Gentleman with regard to that particular tax, he inferred that it was his intention of still further dealing with that tax in the event of a surplus next year. As a direct tax, the income tax was harsh, oppressive, and demoralizing.

MR. SCLATER-BOOTH said, that on the right hon. Gentleman the Chancellor of the Exchequer's own showing, he had the means of making an important reduction of the malt duty; but, on the contrary, the right hon. Gentleman had gone out of his way to show that he was not inclined to conciliate the good feelings of the agricultural class. He had never been one to contend that, with such an Imperial expenditure as we had to meet, beer was an unfit subject for taxation; and he admitted that it would be difficult to relieve beer altogether from taxation so long as alcoholic drinks were subject to taxation. Although, therefore, it would be difficult to remit the duty altogether, he thought it would be far better if it were levied on beer instead of malt. He was inclined to think that if the malt tax had been one that affected the trading and manufacturing interests it would long ago have been re-adjusted. A tax on beer instead of on malt would be acceptable to the farmers, and would prevent them feeling that their interests were not duly considered by the Government. Among the agricultural classes the feeling was that the right hon. Gentleman did not pay that deference to them which he paid to other classes. The right hon. Gentleman now proposed to reduce the duty on tea, of which nobody complained. The right hon. Gentleman, in support of his proposal, had been guilty of gross fallacy in his comparison of the relative proportion of taxation on a barrel of beer and on a chest of tea. Before such a comparison could fairly be made the tea must be put into the pot and made an article for consumption; and the same fallacy existed in the comparison which the right hon. Gentleman had drawn between beer and spirits. He thought that the right hon. Gentleman ought to have taken that opportunity to re-adjust the malt tax.

MR. J. B. SMITH regretted that the Chancellor of the Exchequer had not taken this opportunity of repealing the timber duty. It was an indefensible anomaly that we should admit the manufactured article free of duty, and impose a tax upon the raw material, more especially as timber was now the only raw material upon the importation of which any duty was levied. He was aware that it would have been impossible this year to repeal this duty without making a corresponding reduction in our expenditure; but the expenditure was, in his opinion, far beyond what it ought to be, and he hoped that next year it would be so reduced as to render possible the measure which he was advocating. He regretted that the right hon. Gentleman had reduced the income tax, for he thought that if placed on a proper footing it would not be an unpopular tax; and he did not desire to see it totally abolished. Seeing that our direct taxation was so small as compared with indirect taxation, he thought all reductions should now be confined to the latter. The duty upon tobacco was so enormous as to lead both to smuggling and adulteration. At the time that he was President of the Manchester Chamber of Commerce some tobacconists of Manchester brought before the Chamber the losses to which honest traders were subjected by having to compete with those who undersold them by selling adulterated instead of real tobacco. The Chamber sent a person to buy a small quantity at twenty tobacconists shops, and it was found that only two out of the twenty were genuine tobacco. He believed that if the duty were reduced by one-half there would be no loss to the revenue.

LORD JOHN MANNERS said, that the Chancellor of the Exchequer had never been more sanguine than on the present occasion; but despite the right hon. Gentlemans sanguine anticipations that after the speech which he had delivered that evening he should never again hear, either in the House or out of it, the arguments which had been used against the retention of the malt tax at its present amount, he could assure the right hon. Gentleman that all the arguments which had induced him to recommend the diminution of that duty remained in full force. He had never heard any remarks of the right hon. Gentleman which were more full of fallacies and assumptions than those which he had made that evening with reference to the malt tax. After having endeavoured to show that unless they went very deeply into the reduction of the tax they had better leave it alone, the right hon. Gentleman referred to no less than four sources of diminution of revenue, the last of which was the article of spirits, and he argued that the revenue would lose as much or more by the decrease of the consumption of spirits as it would gain by the increase of that of beer. Was there ever an assumption so entirely and absolutely without proof? At the very best it could only be an assumption; but it was an assumption that was not justified by any experience they had had of past legislation, or of the legislation of the right hon. Gentleman himself. The right hon. Gentleman greatly reduced the duties upon wines, and he told them in glowing language that the cheap wines which would come in would find their way into the consumption of classes of people who, up to that moment, had never had the opportunity of consuming wine of any sort at all. Well, and what had been the effect? The consumption of beer, spirits, and tea had increased, and the consumption of wine, which he told them had greatly increased, had taken place *pari passu* with that increased consumption of popular beverages. Then, he asked, why was not a similar recovery to take place in the consumption of beer to that produced by a corresponding diminution in other taxable and potable articles? All analogy was against the right hon. Gentleman, and he challenged him to his proof. The right hon. Gentleman went on to state that it was not fair to contrast wine with beer, wine being a costly article and beer a cheap one. The true comparison between beer and any other popular drink would be in the article of tea, which, according to the right hon. Gentleman, was to come into popular rivalry with beer. Well, in the present Budget he was going to reduce the duty upon tea one-half, and he contemplated most naturally —and justly, as he (Lord John Manners) believed—that the increased consumption of tea would very greatly recover the first loss to the revenue; but he did not anticipate any falling off in the consumption of beer—not a bit of it—but he assumed that the consumption of beer would go on increasing without the slightest reference to the great increase in the consumption of tea. He had no doubt the right hon. Gentleman was correct in his anticipations as to the increased consumption of tea; and therefore he contended that, on his own showing, taking his own figures, the assumption of the right hon. Gentleman, that by dealing with the malt tax they would reduce the revenue on other articles, was an assumption not worth the breath that conveyed it to the Committee. The right hon. Gentleman fell back upon an argument which he thought he was entitled to the sole merit of discovering. He told them that if he ventured to reduce the duty upon malt without touching the duty upon spirits every Irish and Scotch Member would be up in arms against the proposition. Now they had had this question discussed two or three times during the last two or three years; and he had a vivid recollection of a speech made last year by an Irish county Member, strong and argumentative, in favour of the reduction and ultimate repeal of the malt tax. That speech was made by the hon. Member for the County of Westmeath (Mr. Pollard-Urquhart), who sat behind the right hon. Gentleman, and was also a Scotch landed proprietor. The right hon. Gentleman had really invented this argument; for he could not suppose that a proposal which promoted the physical comfort and moral improvement of the people of Ireland and Scotland would be opposed by the representatives of those countries, because the Chancellor of the Exchequer might not be disposed to make a corresponding diminution in the taxation upon spirits. He entreated the right hon. Gentleman, when next he addressed the House, not to endeavour to raise sectional and national differences upon a question which ought to be treated upon broad and Imperial grounds, and which, in reality, affected for good the people of Ireland and Scotland equally with the people of England. Then the right hon. Gentleman stated that he had found most clearly from the operation of his most wonderful Act of last year that the farmers of England and others did not want any alteration in the malt tax; because, whereas some twenty-eight people had taken out licences under that Act eleven of them had already given up the precarious boon offered them; and he had letters from some of them (he did not say how many), informing him that they had done so, not in consequence of the stringency of the regulations in that Act, but because they could not find a market for the article. He (Lord John Manners) should like to know how many of the eleven persons to whom he referred had written for information to the right hon. Gentleman, and how many of them had told him that the reason why they had given up their licences was because they found the farmers, whose custom they hoped to obtain, did not wish to go some miles to purchase an article which they wished to be allowed to manufacture for themselves out of their damaged or inferior barley. The fact was that the right hon. Gentleman's scheme had failed, and fallen to the ground. He (Lord John

Manners) would not now refer at length to the nibbling at the malt tax, to which the right hon. Gentleman had alluded; but as the measure of last year had failed, so assuredly would this nibbling attempt on the outposts of the malt tax. The right hon. Gentleman would find that neither his concessions nor his arguments would have the slightest effect in convincing that large section of the community who felt that they were aggrieved, and insulted even by the maintenance in undiminished severity of a burden which pressed heavily upon them. But the right hon. Gentleman denied, in somewhat grandiloquent terms, that any repeal, or reduction of taxation had of late years taken place for the benefit and at the instance of any particular class. On this he joined issue with the right hon. Gentleman. He could not suppose that hon. Members had forgotten that the abolition of the duty on the importation of raw cotton was in the first instance sought for by the class which it chiefly affected. It must also be borne in mind that all remissions of taxation must be regarded as conducing in the long run to the benefit of the community generally, and he had no doubt that the whole community would ultimately derive considerable benefit from the repeal of the malt tax even though it could be proved—as it undoubtedly could—that the malt tax pressed with unusual severity on the cultivators of the soil. But the right hon. Gentleman went on to argue that those who advocated the repeal of that tax were, after all, only playing into the hands of those dreadful beings who had their headquarters at Liverpool, the financial reformers, who sought to prepare the way for the remission of all indirect taxation. But were there no reasons founded in justice and common-sense why the malt tax should be dealt with without necessitating the repeal of every other indirect impost? Was not the malt tax essentially a burden on production and industry, and might it not be fairly classed with those duties which the right hon. Gentleman himself had been among the most earnest to denounce and repeal? It really seemed as if that part of the Chancellor of the Exchequer's exposition which regarded the malt tax had been originally designed as a reply to the arguments of the hon. and learned Member for Suffolk (Sir FitzRoy Kelly), but that for some reason or other it had not been let off. He thought, he might add, that the right hon. Gentleman had not scanned very carefully the division list in connection with the hon. and learned Member's Motion, for if he had done so he would have found that the financial reformers to whom he alluded, although they might occasionally find it convenient to entrap unwary country gentlemen into alliance with them by expressing their hostility to the tax, yet were silent in debate on the subject and absent or hostile upon a division. Of course, he should be glad to have the support of those Gentlemen if they were willing to give it; but then he would observe that he hoped when the time came to discuss the total abolition of the duty on spirits and other articles which were the objects of indirect taxation, the right hon. Gentleman would be able to make out a better case against their abolition than he had against the repeal of a duty on industry which ought, on his own principles, to be done away with at once and for ever. He would, moreover, advise those unfortunate Whig Gentlemen who were about to look for the support of county constituencies in the interest of the present Government, not to go to the hustings with the weight of the malt tax round their necks, for they would not find that the arguments of the Chancellor would have much weight in that quarter. The agricultural constituencies would, on the contrary, feel that they had been treated with an entire want of due respect and consideration by the right hon. Gentleman, and would infer from his present speech that they had nothing whatever to expect from him but a determined opposition to their just claims. He had simply to say in conclusion that it was not his intention to offer the slightest opposition to the Budget, but would content himself with the expression of his regret that the Chancellor of the Exchequer, by the tone and tenor of his speech, had shown that he had not the slightest intention to concede any portion of the just claims of the agricultural and beer-consuming classes.

MR. SURTEES said, he had heard with considerable regret the statement made by the Chancellor of the Exchequer that it was not his intention to deal with the malt tax in the present Budget. The substance of what the right hon. Gentleman said on the subject was, "How can I, in justice to Scotland and Ireland, remove the malt tax, while I leave the spirit duties untouched?" But under that query two fallacies were, he thought, to be found; the first being that no relief from taxation ought to be given to one section of a highly composite community without providing some contemporaneous compensation to the others; the second, that the spirit duties as a method of taxation were analogous to the malt tax. Now, remission of taxation, he contended, must be partial as well as gradual; partial, because it would be almost impossible to apportion a surplus strictly among the various public burdens which affected specifically different sections of the population. No Chancellor of the Exchequer, as far as he knew, had ever attempted, out of a moderate surplus, to grant relief to all classes at once. All had, on the contrary, proceeded on the common-sense principle of relieving first one class and then another. It was, of course, a grand thing for a Finance Minister to find himself able to attack a burden the pressure of which was spread over an unusually large area. But the question "Whose turn has come?" was always the true one. Last year came the turn of the sugar duties; also the turn partially of the fire insurance duty; and as a matter of justice, not as a matter of favour, he thought it was now the turn of the malt tax. Still more extraordinary than the first was the second fallacy to which he alluded; nor did he believe that the Chancellor of the Exchequer had really imposed upon himself the belief that there was any true analogy between the spirit duties and the malt duty. The spirit duty was a tax upon the manufactured article—the malt tax was a tax upon the raw material. The true analogy was between beer and spirits—between a beer duty and the spirit duty. The fallacy was made more palpable if it were borne in mind that the raw material of beer and whisky was, or ought to be, the same. He said whisky, because brandy and rum were foreign products. Gin was, to a great extent, a luxury confined to England, and was additionally exceptional, because it was the greatest parent of vice and misery in the kingdom. It was the opium of England, as absinthe was of France. Well, the right hon. Gentleman in his Budget last year contemplated with satisfaction the gradual change of taste that was going forward from stronger and more ardent liquors to milder and more wholesome liquors; and, again, as if to show the essential difference between the case of beer and spirits, he said in the same speech, in regard to this particular article (spirits), it was the business of the Government to derive from it the largest amount of possible revenue, without the same regard which was paid in other cases to the encouragement of the manufacture or to augmented consumption. The right hon. Gentleman's argument, therefore, finally stood thus:—Because there was a manufactured article the consumption of which, "though an evil," was great among the Scotch and Irish, the burdens upon which were beneficial to State morality, therefore the remission of a troublesome tax upon a blameless article of English consumption must be postponed. According to this, the malt tax would never be removed until the moral taint attached to the consumption of spirits was done away. For even if the right hon. Gentleman had a surplus large enough to deal with both the spirit duties and the malt tax at once, he would still feel bound from motives of morality to retain the former, and from motives of impartiality to retain the latter.

Mr. MAGUIRE said, he was puzzled to know why the Chancellor of the Exchequer had introduced into his speech the subjects of the rag duty and the condition of the paper trade, which he stated to be most flourishing. Now it was not more than a month ago, that a deputation of seventy Members of that House and eighty representatives of the paper trade waited on the First Minister to represent the condition in which the trade was, and to ask for a redress of injury—or, in fact, for justice. The truth was that the trade was suffering deeply from the unfortunate blunder made at the time of the negotiation between this country and France which eventuated in the French Treaty. On the occasion of the interview with the First Lord of the Treasury, a proposal was made on behalf of the trade, and if that proposal were adopted it would have the effect of releasing the trade from the consequences of a most deplorable blunder. It would not raise the price of the manufactured article to the consumer, or affect in the slightest degree the newspaper press of the country. On the contrary, he thought he might say that so far from raising the price of paper, it would, without imposing one shilling of taxation, have the effect of lowering the price. The Chancellor of the Exchequer stated that a gentleman who had a large quantity of waste cotton on hand could not get more than 9*s*. or 10*s*. for what 25*s*. were formerly paid. The explanation of the fact was simple. At the time of the cotton famine the relative value of cotton waste to cotton rags was so enormous that the trade could not use it—they could scarcely get cotton-waste at all, and what they did get was of the worst possible quality; but it was now coming back to something like a normal price, and gradually re-entering into consumption. He thought he could prove that the blunder made by the Government had entailed on the trade most calamitous consequences. Within the last nine months, to his certain knowledge, no fewer than seven or eight important houses in the trade had been obliged to stop business. Under these circumstances, he hoped that the Chancellor of the Exchequer would on the part of the Government adopt the proposition of the trade, which was ready to bind itself not to raise the price of paper for the next five years; and, indeed, no intention of that kind existed. Without entering into the comparison between whisky and malt, he expressed his regret, as an Irish Member, that the Chancellor of the Exchequer had not thought of the strong claims of the Irish distillers. [*A laugh.*] Some Gentlemen might laugh, but it was a fact that the trade was nearly crushed out of existence. The duty was too high, and a large amount of revenue might be obtained from a lower duty.

MR. BASS said, he was sorry that the right hon. Gentleman the Chancellor of the Exchequer was not in his place to hear the observations which had just been made in reference to the paper trade. As to the Budget, he (Mr. Bass) thought it would be satisfactory to a large proportion of the people; but, notwithstanding that the Chancellor of the Exchequer had secured the gratitude of all the old women in the country by reducing the tea duty, he must say that he regretted that the right hon. Gentleman had not paid any attention to the claims of the malt duty for consideration. He thought that the right hon. Gentleman had fallen into one or two errors upon the subject. He had said that the consumer would not get a farthing a pot reduction in the price of beer, unless the duty was reduced from 2*s*. 8½*d* to 1*s*. 2*d*.; but, in his calculation, he had left out of consideration the profit which the brewer expected to make upon the capital he advanced to pay the malt tax. The brewer paid 32*s*. or 34*s*. per quarter for his barley; but, in addition, he paid 22*s*. duty upon its conversion into malt; and his profit must be calculated upon the whole amount. He was persuaded that the additional competition in the trade by the reduction of the duty would tend to the benefit of the agricultural interest. The Chancellor of the Exchequer had attempted to alarm the Committee by stating that a reduction in the malt duties would cause a diminution in the receipts for the spirit duties. But he (Mr. Bass) was persuaded that such apprehensions were entirely groundless. In 1853 the consumption of malt in this country amounted to 36,000,000 bushels; in 1855, during the Russian war, those duties were largely increased, and the consumption of malt fell to 30,000,000 bushels; but in 1858, when the extra duties were removed, the lost ground was more than recovered, for the consumption of malt rose to 38,000,000 bushels. Now, with regard to the spirit duties, in 1853 duty was paid in England upon 10,350,000 gallons, and in 1855, in the middle of the Russian war, it was near about the same, being 10,384,000 gallons; but in 1858, when the duty upon malt was materially reduced, the duty was paid upon 10,448,000 gallons, being more than was paid in 1855, when the duty upon malt was so much higher. The Chancellor of the Exchequer had, he was happy to find, acknowledged the injustice he committed three years ago in favour of the farming interest by the imposition of the brewer's licence. He then took off the duty upon hops, and in order to recoup the revenue for the loss he imposed an additional duty upon brewers' licences. Now, anything more nearly approaching confiscation than that was never attempted by any Chancellor of the Exchequer. He was, therefore, glad to find that at last the right hon. Gentleman was sensible of the injustice he then inflicted on the brewing interest. The practical effect of the change had been that while in the last three years he had been compelled to pay 20,000 guineas for a licence to carry on his business, before he could tell whether he was manufacturing at a profit or a loss, so far from receiving any benefit in return from a reduction in the price of hops, he had to pay an additional price for his hops, because the growers of hops, having no longer any duty to pay, were not obliged to send their hops to market, but held them back in order to obtain better prices. He considered that a great grievance. The Committee had no doubt heard enough about the malt tax, but he could not refrain from saying that although he had never listened to a more ingenious speech than that made that night by the Chancellor of the Exchequer, it would not convince him that the right hon. Gentleman had not made a great mistake with regard to the malt duties, and he felt quite convinced that the Government would be sure to hear of it when a general election took place. No outcry had been raised against the tea duty, but a strong desire had been expressed for a reduction of the malt tax. The Chancellor of the Exchequer had endeavoured to show that the malt tax was not out of proportion to the duties on other taxable articles; but if that were so, the dealers in malt had been for the last fifty years most unjustly treated, because in 1815 there was a much smaller duty paid on malt than now, and consequently since then they had been paying a much higher duty than they ought to have done. He was sorry the Chancellor of the Exchequer had not entertained the malt question in a more liberal spirit; and all he could say, as an individual trader was, that he should continue to enjoy the present profit upon the duty that remained, and the country would have to pay for it.

Mr. R. LONG said, the Chancellor of the Exchequer had spoken of the expediency of dealing impartially with different kinds of taxation; but the policy of the Government for some time had been to take off Customs duties, leaving the Excise duties in their full oppressiveness. In fact, the fiscal policy of the right hon. Gentleman was to favour the foreign trade at the cost of the home trade. He was in favour of a reduction of the malt tax with the view to its ultimate abolition. A more transparent sophistry it would be difficult to meet with than was embodied in the assertion that the abolition of the malt duty would give a death-blow to indirect taxation. If the duty on malt were abolished to-morrow there was nothing to prevent the right hon. Gentleman from requiring licences to be paid for as well on the consumption as on the sale of beer, both of which would be indirect taxes. Nobody need brew or sell beer unless he liked; but duty levied upon malt was in fact duty levied upon meat. And far from convincing those who felt with the agriculturists on this subject, the Chancellor of the Exchequer would doubtless find that his own words in 1853, when he told the farmers that the reason the repeal of the malt tax as a cause was so weak was because they had never taken the trouble to agitate, would be remembered and turned to account. There would soon be agitation enough on the subject, and in the next Parliament, doubtless, no one would be so earnest an advocate for the repeal of this tax as the right hon. Gentleman himself. The right hon. Gentleman would render good service to the country if, by consolidating the assessed taxes in any way, he could do away with the labour inflicted on certain classes in filling up the assessment papers, and also if he would turn his attention to the tax on farm leases, which stood unnecessarily high.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

WRITS REGISTRATION (SCOTLAND) BILL—[Bill 41].—[*The Lord Advocate.*]

SECOND READING.

Order for Second Reading read.

The LORD ADVOCATE, in moving that the Bill be now read a second time, said, that in a former Session they had had a full discussion upon the subject to which it related, and there was a good deal of difference of opinion among Scotch Members in respect to it, and he therefore thought it due to them that he should explain the grounds upon which it was now introduced to the House. It was well known that in Scotland there had existed for two centuries or more—certainly as far back as 1617—a system of land registration not only as respects the conveyance of land, and the mortgage of land, but of all deeds affecting the transfer of land; in consequence of which all those who might be interested in such transfer had the means of ascertaining the burdens which might exist upon any particular land proposed to be transferred. No doubt so far as regarded certainty and security of title the system had been to a large extent a very complete system of registration; but it had this one great defect—namely, that the expenses attending it were very great; and the object of this Bill was to diminish those expenses, to put the system upon a more complete footing, and to put the means of ascertaining the particulars of registration into a more easy form. The system introduced in 1617 established two separate systems of registration—one, a general register to be kept at Edinburgh under the control of an officer termed the Lord Clerk Registrar; and the other a system of registration, not according to a county arrangement, but in certain specified districts, by means of which persons selling or burdening land might register the conveyance deeds, the deeds of incumbrance, or other particulars requiring registration. That general and particular registration was intended undoubtedly for the convenience of persons residing in remote districts of Scotland at the time when communication between different parts of Scotland were much more difficult than it was at the present time; and the result was obviously that when persons wished to purchase land or lend money on the security of landed estates, or when they wished to ascertain whether any burdens attached to any particular landed estate, they were obliged of necessity to search both in the General Registry at Edinburgh, and in the particular registry in the district in which the land was registered; and it not only obliged them to look into the registry of one county; a deed respecting the conveyance of land or the burdens upon it might be registered in another county than that in which the land was, and consequently a great deal of trouble was often given to the searcher. This state of things continued to exist, and at the present day there were nineteen particular registries in Scotland in different districts, and also the General Registry at Edinburgh. But there was another matter which in course of time came to be more important even than the expense of searching a double register. Of course, the accumulation of records of this nature necessarily went on from year to year, and at last the records became so great as to become almost unmanageable, so that in the beginning of this century they got into a condition in which it was exceedingly difficult for persons to prosecute their search. Though the deeds were registered in the particular registries in the districts, they were not actually kept there; but the Lord Clerk Registrar sent out from his head office in Edinburgh a book in which the matters required to be registered were recorded. The keeper of the particular register kept that book until it was completed; and he then sent it for the purpose of preservation to Edinburgh; and in that way the whole of the records, whether registered in the particular or the General Registry, were kept in Edinburgh, and were there accessible for the purpose of searching. The accumulation of these records introduced a great difficulty. Under the original statute the keeper of the register was only bound to record the deeds and make a minute of them; he was not bound to index them. But in the commencement of the present century this state of things was found so inconvenient that very great efforts were made to supply the want of an index, and a gentleman who had charge of the registers, Mr. Thompson, did actually prepare an index of the various records up to 1845. But in order to accomplish the work, it was necessary to make an abridgment of deeds and records, giving the names of the particular buyers or sellers of the land, and the place to which the purchase or burden related, and from that abridgment a general index was made; but from the necessity of sending up the registers from the particular registries to Edinburgh only when the books were filled, those particular registers came up at intervals sometimes of a year, sometimes two, and sometimes of three years, so that it was impossible to make a general index of the records which at all corresponded in period of time with the contemporaneous registry of deeds itself. The object of this Bill was to do away with those difficulties, by concentrating the whole of the registries in Edinburgh, and thus to enable the officials to prepare not merely a record of the whole of the registers for the counties in Edinburgh—so that the whole records might be accessible at one time—but also so to arrange as to have the records under one uniform superintendence, and under one staff of officers, and to have them indexed contemporaneously with the registry itself; and, consequently, that the person searching with reference to the records of any one particular year, should be able to refer to the index of that year in one volume in order to obtain the information that he required. That was the general objects of this Bill. He proposed to abolish the particular registries in the districts altogether. And whereas at present the records were brought up to Edinburgh only at intervals he proposed that they be brought up regularly, provision being made for indexing those registries at the time. That this would be a great improvement for convenience of search nobody would deny. The saving of expense might be judged from the fact that the present local registries cost £12,000 a year, no part of which was for the benefit of the public, it was solely for the benefit of the keepers of the registers. On the other hand, the Registry Office in Edinburgh was not only a self-supporting institution, drawing nothing from the Government, its income being £9,500 a year, but there was actually a surplus of £5,000 a year, which found its way into the public Exchequer. The amount of business done in Edinburgh was represented by the registration of 5,700 deeds a year, while the number of deeds registered in the particular registries amounted only to 4,000 a year. It was not only clear, therefore, that the present surplus would be continued, but it would increase to a great extent. It might be said—and he admitted that there was some force in the observation—"You are taking away a most important office from the localities, and you are taking away the patronage which attaches to the office which has previously been dispensed in the localities." He was not at all insensible to the importance or the weight of that consideration; but the public interest ought not to suffer from the continuance of the present system, because private interests might be involved. It would be said, in opposition to the Bill, that there was an advantage in having a registry in particular districts. He entirely denied that there was any advantage to any one from having the registries in particular districts, except to the keepers who benefited by the fees. He could quite understand that in former days, when it was necessary to travel to the towns where the registries were kept, it might have been important that people should have to travel only ten, twenty or thirty miles, instead of having to travel 100 or 150 miles to Edinburgh; but the whole state of affairs was changed. At the present day one-half at least of the deeds are sent by post, and, of course, it was as easy to send to Edinburgh from Aberdeen, as it was from Perth or Dundee, or any other part of Scotland, and, it was moreover, just as safe to send by post from one place as from another. Therefore, it was quite vain to say that the breaking up of the local registries will be inconvenient to persons whose titles were to be registered. They had been told, upon a former occasion, that the object of their Bill was to benefit professional men. He could not himself see how it would do so in any way whatever. It would not alter the employment of the conveyancer in any manner; it would have no effect in respect to the registration of the conveyance; but this it would do, it would make the operation of searching for the record cheaper. And it was certainly a singular fact, that although it is suggested that it would benefit the profession in Edinburgh, the discussion in which the Bill originated was first raised by the profession at Glasgow, and the fact that the advocates and writers to the Signet at Glasgow took up the question and agitated in favour of the removal of the registries to Edinburgh showed at least that they did not consider that the profession would be injured by it. The result was that the Lord Advocate of Lord Derby's Government did introduce a Bill precisely the same in its object as the present; but the tenure of his office, and the pressure of business, rendered it impossible to carry the Bill through. Since then, he (the Lord Advocate) had been pressed to take up the former Bill; but he thought it right not to proceed without a preliminary inquiry, and two Commissioners were appointed who fully investigated the matter, and upon their Report he had prepared the present Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Lord Advocate.*)

Mr. DUNLOP said, the House will perceive that there is a Bill in the paper standing in my name on the same subject. We differ only in the mode in which we seek to secure the same object—namely, a register and an index that will really facilitate persons who may use them. It certainly was not his (Mr. Dunlop's) fault that the learned Lord Advocate should meet with any opposition to his Bill. The House knew it was always the custom of the Scotch Members to treat business of this kind in such a manner as to avoid anything like the introduction of competing Bills. The learned Lord, however, did not think it right upon this occasion to summon the Scotch Members to give their opinion on the question, and when he called the attention of the Government to the fact, and suggested that both the Bills would be sent to a Committee so that their details might be examined and one measure agreed upon, his learned Friend entirely objected. In the present instance they were driven to embark in a contest on the relative merits of the two Bills. At the same time, he must again express his willingness that they should both be sent to a Select Committee. The learned Lord had stated that the foundation of his Bill was a resolution of the Glasgow meeting in 1856, and the Report of the two Commissioners. It was quite true that the resolution referred to recommended a change in voting the sending of the registers to Edinburgh; but, on reference to the petitions presented from Glasgow, his learned Friend would find that much the greater number of the petitioners were in favour of his (Mr. Dunlop's) Bill as against that of the Bill of his learned Friend. On the last occasion when this matter was discussed, it was said that the object of his (Mr. Dunlop's) proposal was to subserve the private interests of professional gentlemen in the various towns where the particular registers were kept. Now, he begged to say that he was as free from wishing to support private interests at the public expense as the learned Lord. In point of fact, he had introduced this Bill after the fullest consideration, because he thought it was for the interest of the general public. The Bill of the learned Lord himself proposed to give them the fullest compensation for any loss they might sustain while he relieved them from all labour and responsibility. Not only so, but he proposed actually to compensate gentlemen who, by their own admission, were not legally entitled to compensation, but were bound to submit to any change that might be carried out. The House might be assured he (Mr. Dunlop) would not ask them to pass any Bill unless he was thoroughly convinced that it was for the public advantage. The other basis on which the learned Lord said his Bill was introduced was the Report of the Commission. But he (Mr. Dunlop) would call the attention of this House to the object for which that inquiry was instituted. The Commissioners were directed to ascertain whether it would be desirable to concentrate the local registries in Edinburgh, but they were not directed to inquire into the state of the General Registry in that city. The evidence taken by the Commissioners was taken in accordance with these instructions; and therefore there was no evidence whatever as to the desirability of transferring all the registries to the General Registry in Edinburgh. The evidence, moreover, was stated to have been taken in a most cursory and insufficient manner; and as an instance of the haste with which the Report was drawn up, it was there stated that from 1856 to 1861 the registries were not entered up, or at least the indices were in arrear. Therefore, there was not the slightest foundation in the Report of the Commissioners whereon this measure could be based. Now, as to the Bills themselves. The Lord Advocate, in a former debate, described his (Mr. Dunlop's) as a Registrar Bill. The learned Gentleman is as little entitled to impute to me a Bill on behalf of registrars as he (Mr. Dunlop) was to impute to him a Bill in the interests of the Edinburgh officials and candidates. No doubt registrars had an interest, but not a pecuniary one, for the Lord Advocate's Bill gave them full compensation, and relieved them from work and responsibility for life. He (Mr. Dunlop) did not ask the House to pass his Bill unless he could show it was for the public interest. The *onus* of showing grounds for transferring whole district registers to Edinburgh after they have had an independent existence for 250 years, and dispensing with the services of all the present keepers, compensating them out of public funds, must lie on the Lord Advocate who proposes the change. In one thing he agreed with the Lord Advocate—when he proposes to get rid of one of the two registers. The bother, annoyance, and expense in our system had arisen from the General Registry. That being the chief evil, what was the remedy? What was wanted is a remedy co-extensive with the evil. Confessedly the weak point in the system is the necessity of double search produced by the existence of the General Register, creating great expense and difficulties by its scheme of merging together deeds from all parts of the kingdom, without order in the way of abridging, indexing, or searching. Now, both Bills concurred in this, that they abolished the General Register. The learned Lord kept it up in name, but in substance he admitted the unsoundness of its principles. The Lord Advocate so far went with him (Mr. Dunlop), and he said to-night that he will abolish the General Register; but he proposed that there should be a register for each county. That was exactly what he (Mr. Dunlop) wanted. But he proposed another change, which was to bring all these county registers to Edinburgh, and he (Mr. Dunlop) wanted to know what necessity there was for that. The Lord Advocate alleges, in the first place, that the work will be better done. Now, what is the work? Copying into books prepared, paged, and marked, the deed to be registered, and making up the minute-book in forms furnished to order. What was required was attention, care, accuracy, intelligence, and local knowledge. Now, would this work be done better by a great body of clerks in Edinburgh, though under the superintendence of the ablest man? But there was no need to speculate about the matter—it was not alleged that there was any deficiency in the work. The Commissioners do not hint such a thing. Then, as to cheapness, he acknowledged the great importance of reducing the fees, but he denied that the work would be more cheaply done under the Lord Advocate's Bill. The Commissioners estimated that the staff would cost £5,000, which, with the Keeper's salary £1,000, if not increased, would be £6,000. This Estimate for the staff was undoubtedly too low. At present in Edinburgh, to record 5,721 deeds cost £4,527, which, deducting the Keeper's salary, left the staff of the Office to cost £3,527. The whole writs for Scotland were 14,405, more than two and a half times the present number in Edinburgh. Multiplying £3,527 by two and a half gave £8,817, to which, adding the Keeper's salary of £1,000, gives £9,817; and if that be increased proportionally to the increasing work, the amount would be at least £10,817. Now, this was not an Estimate, but a calculation on the basis of the existing cost. That would double the Commissioners' Estimate, and nearly exhaust their estimated saving. But now, keeping up particular registers, the large cost at present arose, not from the difference of work in Edinburgh and in the country—for labour was cheaper there—but because the officials in Edinburgh were on salaries, while in the provinces they received the fees. No doubt, in many cases the remuneration was far too large; but put the provincial registrars also on salaries, and he undertook that £8,000 a year would do the whole, giving a yearly saving to be applied in reduction of fees of £14,000 out of £22,000, or nearly two-thirds. His (Mr. Dunlop's) Bill proposed to effect this as the holders died out; but if the Government would agree to give compensation for the difference of the emoluments he would agree that they should be paid by salaries, and give the public the benefit of the reduction of fees at once. The next point was with reference to the facilitating of indexes and abridgments. The cause of the past delay was anything but creditable to Edinburgh management. They commenced the work of making these abridgments with 1780 instead of keeping up the current volumes, and the consequence has been that when they reach 1855 all previous to 1820 will have become useless; and the mass of arrears is constantly accumulating. The assertion that delay in sending up the records is the cause of abridgments being in arrear is utterly groundless. The registers at Edinburgh are to be kept by counties; and if the Register House will only regulate the size of the books to be sent to the district registrars by the same rule as they would be kept at Edinburgh they would be filled up in the same time. The volumes must be finished, whether in Edinburgh or in the country; and the only delay would be that of transmission by the mail. All this will be as well and quickly done under my Bill as under the Lord Advocate's. All the alleged reasons for so great a change as his Bill proposes entirely fail. He (Mr. Dunlop) believed that the people of Scotland were perfectly satisfied with the present system, provided that the fees were reduced and double searches abolished. By the present system, when indexes and abridgments were sent out, they were able in the country to bring up the search to any hour, and if in Edinburgh a day would be lost. The Lord Advocate kept up a separate register for inhibitions and adjudications, and those were registers which it was necessary to search as well as the others. He (Mr. Dunlop) proposed to abolish them altogether, but the Bill of the Lord Advocate retained them, and required a double search. Now, he (Mr. Dunlop) thought that it was of some importance in Scotland to keep up the status of country practitioners; but the Bill of the Lord Advocate tended to draw all conveyancing to Edinburgh and thus to lower the position of country writers. This involved the question of the responsibility for blunders and inaccuracies, and that is a question which requires to be settled. Was it to be retained or abandoned? And if retained what was the value of the responsibility of one man compared with that of twenty? At present, if a blunder were committed, there was far greater security for covering the loss than would exist if the Bill of the Lord Advocate was passed. The burgh registers are left. All the Commissioners' reasons for having these apply to the suburbs of towns, which occasion by far the greatest number of deeds. So strongly do they feel this, that they say that if engaged in establishing registers for the first time they would make them local in large towns; but as they have been local for 250 years, they will transfer them to Edinburgh, chiefly because they think that by the aid of their "search-sheet" which the Lord Advocate had rejected, they might bring the burgh registers to Edinburgh too. All the reasons they gave plead strongly for keeping the local registers, and the anomaly of one portion of the same town being local and the other Edinburgh was most objectionable.

MR. CRAUFURD said, that when the question was last before the House, considerable discussion took place upon it; but of all the Members for Scotland present at that debate, with the exception of the Lord Advocate and his Colleague, the representative of Edinburgh, and the then learned Member for Bute (Mr. Mure), not a single voice was raised in favour of the Lord Advocate's Bill, which by some was designated a centralizing Bill. On that occasion they had only one proposal—that of the Lord Advocate based, as he said, on the Report of the Commissioners. On this occasion they had the advantage of having a converse proposition before us from the hon. Member for Greenock (Mr. Dunlop)—that the system which had existed in Scotland for the registration of land rights for the last two and a half centuries was as perfect as it possibly could be. That was a fact admitted by the Commissioners themselves; and which was also admitted by the Lord Advocate last Session, the only one defect being that of registration. The question now at issue was a very narrow one—namely, which of the systems proposed in the two Bills now before the House was the one which would lead to the greatest saving of expense, and was the best and most efficient plan. Now, in his opinion the Bill of the Lord Advocate was a revolutionary measure; whereas, that of the hon. Member for Greenock removes the blots and defects which existed, and which were the cause of unnecessary expense, without dealing with the question in a revolutionary spirit. It treats the question in accordance with the habits of the people for the last two and a half centuries, and asks you to amend that system without altering it. There was this advantage in his Bill, that they could try his system, and if they found it deficient, and not sufficiently economical, they could still go on and adopt a centralizing system. In the Report of the Commissioners, they said that, viewed as a whole, it was the most complete and practically useful system which had yet been devised. That was the point upon which he invited them to decide between the two Bills; he asked them to refuse to take the measure of the Lord Advocate as one that did unnecessarily interfere with that system. For his own part, he quite agreed with the hon. Member for Greenock. If centralization would achieve the object, it ought not to be a bugbear; but he did not think it would attain the object. With regard to the question as to whether this proposal was for the interest of one party or another, he utterly repudiated it. He was only taking the course which he now takes after the fullest consideration of what appeared to him most desirable for the interests of the country—namely, the removal of that one defect, the defect of the large expenditure. The second reason given for the introduction of this Bill was that it would save the expense of the transmission and re-transmission of the register books. But the expense of these transmissions are expenses paid entirely out of the pockets of the local keepers of the registrars. They were paid by the people of the locality, and therefore that argument fell to the ground. There was a curious fact connected with the Report of 1856. One of those who signed that Report was Mr. Bannatyne, one of the Commissioners. With all respect to Mr. Bannatyne, he must say that he went into that inquiry with his mind made up, having signed the Report which advised the removal of all the registers to Edinburgh. Therefore, he was not an unbiassed Commissioner. The other gentleman was an Edinburgh lawyer; it was, therefore, hardly to be expected that the inquiry would be conducted with that fairness which such a question demanded. But, more than that, what was the course that they described themselves as having pursued? How did they conduct the inquiry? What did they do at Dundee? Did they ask the profession any questions? Not at all. Mr. Bannatyne made a long speech to them, and then apologized for the haste with which he had to break up the meeting, as he wished to go off by the next train. At Ayr the same course was pursued. He thought that the Commissioners ought not only to have given us their Report, but the evidence on which it was founded. We are entitled to that evidence in order that we may judge how far their conclusions are correct, and he said that until we have the evidence we are not in a condition to state whether we can agree with the recommendations of the Report. They were now asked to remove the registries to Edinburgh on account of the great advantage of having all the registries in one place. If that was good for the counties it is good for the burghs. Having said that—so far as the counties are concerned—that was the proper principle to adopt, he might turn round and say, as to the burghs, it ought to be left to the burghs. It was of the greatest importance that the registry should be in the locality, and they proposed to continue a system that would be a double register. The advantage of the proposition of the hon. Member for Greenock was that he took in the whole country; he had one registry for the whole. It was said that there was a surplus of the fees. Then he (Mr. Craufurd) said it was a monstrous thing that for twenty years past the landed proprietors should have to pay not only for their deeds, but a surplus to the Exchequer. It was said that the work could be done much cheaper and better in Edinburgh than elsewhere. Now, here was the contested point. They had this fact, that in the counties which had local registers, the books were more closely made up than they were in the office at Edinburgh. Under these circumstances, how can they be expected to support the Bill which had been introduced to their notice by the Lord Advocate, particularly when they found that the work was not so well done in Edinburgh as in other places. On a review of the whole case, and in the belief that the system proposed by the hon. Member for Greenock was likely to be most conducive to the interests of the country, and the most likely to be economical, he should give his support to his Bill rather than to that of the Lord Advocate. Taking the difference between the two to be central and local, and objecting to the central, he begged to move, as an Amendment, that the Bill be read a second time this day six months.

SIR JAMES FERGUSSON seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Edward Craufurd.*)

Question proposed, "That the word 'now' stand part of the Question."

CAPTAIN CARNEGIE moved the adjournment of the debate.

THE LORD ADVOCATE said, he thought this was rather an early hour at which to propose an adjournment; but, at the same time, provided his hon. Friend would assist him in endeavouring to come to some arrangement with respect to the discussion, he would not object to the adjournment. The Bill could be put down as the First Order of the Day after the Motion for the Committee of Supply to-morrow.

Debate *adjourned* till *To-morrow.*

CONSTABULARY FORCE (IRELAND) ACT AMENDMENT BILL—[BILL 122.]

LEAVE. FIRST READING.

SIR ROBERT PEEL, in moving for leave to bring in a Bill to alter the distribution of the Constabulary Force in Ireland, and to make better provision for the Police Force in the borough of Belfast, said, that Belfast was the only borough in Ireland in which there was a special Act regulating the organization of the police force. As far back as the year 1858, the noble Lord opposite (Lord Naas) then Secretary for Ireland, in consequence of riots which occurred in the previous year, brought in a Bill tending very much in the direction of the measure which he was now asking leave to introduce. The riots which occurred at Belfast last year, and which had led to the proposal of this Bill were, as the House well knew, of a most serious character. Not only were 146 persons arrested, but 316 were seriously injured and thirteen were killed; the pecuniary loss occasioned by the stoppage of mills and other causes amounted to £50,000; and in order to put an end to the strife it was necessary during the three worst days, August 15, 16, and 17, to introduce into the town, in addition to the local police, a constabulary force of 978 men, twelve officers and 252 cavalry, fifty-seven officers and 1,045 infantry, and three officers and thirty-six men of the artillery, with two guns. In fact, there was almost a small army quartered in the town. The concurrent testimony of all the witnesses who were examined by the Commissioners who inquired into those riots was that it was desirable to introduce changes into the police establishment of the borough; and he hoped by the passing of this measure to prevent the recurrence of such disturbances. The community of Belfast was, however, a very difficult one to deal with. It consisted of about 130,000 persons, two-thirds of whom were Protestants and the other third Roman Catholics, between whom feelings of strife and animosity had long existed. The police force at present in Belfast amounted to 161 persons. It was most unpopular, particularly among the Roman Catholic population of the town, of whom there were in it only five. The Commissioners, in their Report of 1857, especially referred to that circumstance, and showed that the existing state of things was most unsatisfactory. He would not, however, on that occasion, enter into the observations made by the Commissioners as to the inefficiency of the force, but would content himself with simply remarking that according to the testimony of more than a hundred witnesses it was absolutely necessary that some alteration in it should be made. What, under those circumstances, he proposed to do was to abolish the present force altogether, and to introduce the constabulary into Belfast upon the same footing as in Cork and other towns throughout Ireland. He proposed to give Belfast, free of all expense, 130 men, the charge for whom should be paid out of the Consolidated Fund. But in addition to that force there would be 320 men more, half the cost of whom would be paid out of the Consolidated Fund and half out of the local funds. There would thus be altogether a force of 350 men; besides which, it was proposed that there should be two stipendiary magistrates instead of one — one of those magistrates to be a Roman Catholic, and the other a Protestant. The saving to the borough which the Bill would effect would would be very considereble. The cost of the present local force amounted to £7,481, and the saving on that amount would be no less than £1,391. With respect to night watching he might observe that the proposal was, that as in Dundalk the constabulary should take that duty upon themselves, and that the men so employed should be paid something like 6*d.* per head per night out of the borough funds. As to the superintendence of the new force he had simply to say that it was intended there should be two sub-inspectors entirely at the cost of the Government, and one superior officer, who would be a magistrate, but who would not usually act in that capacity, and whose salary would be £400 a year. Such were the main features of the Bill, which he hoped to be able to proceed with as speedily as possible, and which he hoped would be found of some service in preventing those disturbances which had occasioned so much pain to persons of all parties, and which he hoped would never again occur to mar the peace and prosperity of the inhabitants of one of the most flourishing towns in the kingdom.

SIR HUGH CAIRNS said, there was no objection to the principle of the Bill, though its details would require alteration. He could not, he might add, concur in the opinion that the present police force in Belfast was inefficient, taking its numbers into account. He feared that the saving to the town under the Bill would not be what the right hon. Baronet anticipated, and he doubted the expediency, when the desirability of getting rid of religious distinctions was so generally talked about, of laying down a rigid rule that there must be one Protestant and one Catholic stipendiary magistrate.

Motion *agreed to.*

Bill to alter the distribution of the Constabulary Force in Ireland, and to make better provision for the Police Force in the Borough of Belfast, *ordered* to be brought in by Sir ROBERT PEEL and Sir GEORGE GREY.

Bill *presented*, and read 1°. [Bill 122.]

House adjourned at a quarter before Two o'clock.

* * *

HOUSE OF LORDS,

Friday, April 28, 1865.

MINUTES.]—PUBLIC BILLS—*First Reading*—Local Government Supplemental (No. 2) * (73); Local Government Supplemental * (72); Land Drainage Supplemental * (74).

Second Reading — Courts of Justice Building (23); Courts of Justice Concentration (Site) * (56).

COURTS OF JUSTICE BUILDING BILL.

(No. 23.) SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR: My Lords, In rising to move the second reading of this Bill I cannot help expressing my conviction that your Lordships have rarely been asked to give your assent to a measure of legal reform of greater importance. Nothing is more striking than the disregard which this country has so long manifested for the manner in which its Courts of Justice are constructed, and accommodation afforded for the proper administration of justice. If the character of the country were to be determined by the external appearance and condition of these Courts, undoubtedly the conclusion would be that there was very little regard and very little anxiety as to the mode in which justice was administered among us; for if the construction and locality of our Law Courts and Offices had been wantonly designed on purpose to impede and render difficult the administration of justice, it is impossible to imagine a state of things more calculated to promote that view. Undoubtedly, every kind of facility should be given for the administration of justice; but if you require the Judges, the practitioners of the law, the juries, and the parties resorting to Courts of Justice to come into places which are not one-tenth equal to their accommodation, and in which the atmosphere is so vitiated that the body becomes enfeebled, and the mind of necessity partakes of the enfeeblement, it is utterly impossible in that state of things that justice can be properly administered. You now require a number of Courts for the purposes of law, and a further number of Courts for equity. The Courts of Law are located in the immediate neighbourhood of Westminster Hall; but they consist of buildings wretchedly insufficient for the purpose. Whenever the Court of Queen's Bench requires to have a Judge sitting at Nisi Prius, there is no better accommodation than that which is afforded by a small and insignificant room, which is called the Bail Court, but which was very correctly described by a certain Member of the House of Commons, who unfortunately practises in that Court, as nothing better than "a dog-hole." The other Courts of Nisi Prius are equally inconvenient and equally difficult of access to suitors or practitioners. As to the Courts of Equity, those constructed for the *puisne* Vice Chancellors are places in which it is utterly impossible for either Judges or practitioners to remain for any considerable period of time without being affected by the impure atmosphere, and finding their ability to give full attention to the causes very greatly impaired. The other Courts, which are sometimes referred to as more wholesome than those I have mentioned, may be tolerably convenient as Courts, but they are utterly devoid of the requisite accommodation. The Lord Chancellor has only one room, which he is obliged to share with his three secretaries, and the other Courts are equally deficient in the proper accommodation. It is not, however, merely the material construction of these Courts that is so objectionable, it is their locality also which so much interferes with the requirements for the proper administration of justice. The Courts of Law are at Westminster; but the chambers of the Judges are in Serjeants' Inn, at the bottom of Chancery Lane; and it constantly happens that the Judge sits half the day in Court in Westminster Hall and is obliged to rise much earlier than would otherwise be necessary in order to go to chambers. In like manner, the offices of the Courts of Law are scattered about in different localities; and the same thing is true of the offices connected with the Courts of Equity—they are equally scattered and equally inconvenient of access; and altogether it is impossible that business can be conducted without great peril of breaking appointments and great danger of counsel not being present when they are wanted—involving also great loss of time and consequent increase of expense to the suitors. This subject is thoroughly well known, and I think there is not likely to be any difference of opinion among your Lordships on this point—it must be self evident to every one who has considered the subject, that if all the Courts of Justice could be brought together under one roof, if the necessary offices and chambers were provided for the Judges and the clerks, consultation rooms and libraries for barristers, and waiting rooms for witnesses and jurors, the administration of justice would be greatly benefited, great delay would be avoided, and great economy and convenience would be afforded to suitors and all other persons. The object of the Bill now before your Lordships is to accomplish that most desirable object—an object which, as is usual in this country, has been admitted to be desirable and right for a long period of time—extending, I believe, in this case, over forty years. The subject was first agitated, I think, in the year 1822, but nothing effectual has been proposed until now. For the greater portion of that interval the particular locality which this Bill points out has been fixed upon as the most convenient site for the proposed concentration. It is not, however, until now that any sincere and earnest effort has been made by the Legislature towards effecting this desirable improvement, and towards performing that which is one of its primary duties — namely, the erection of Courts of Justice corresponding to and commensurate with its dignity, and proper for the discharge of the duties of the Judges and the functions of those concerned in the administration of justice. The same reasons which lead the mind to the necessity of concentrating the Courts also point to the locality in which they should be concentrated. The site now proposed is not only in the centre of the metropolis, but constitutes what I may call the *umbilicus* of the legal locality. It extends over about 7½ acres, bounded on the East by Bell Yard, which runs parallel to Chancery Lane, on the North by Carey Street, on the West by Clement's Lane, and on the South by the Strand. The whole of this locality is covered with houses of the meanest and the most wretched description. The place, in short, seems as if it had been left on purpose to answer the use for which it is now proposed to be employed; and while you are converting the site to this great public purpose and are conferring this great public benefit you are incidentally rendering another benefit, not equal in amount, but still of great value, by weeding out of the centre of London a nest of fever and a receptable of all sorts of abominations. This locality is one, above all others, which is most accessible to lawyers, with the least amount of interruption to their business, their offices being all connected with it, and therefore with the greatest amount of benefit to their clients in consequence of the saving of time and expense. All these things require hardly more than to be stated for the mind to see at once that which is the great end of the measure and the ground which justifies it—namely, the advantage in respect of the administration of justice. Now, having said thus much with regard to the locality and the concentration of the Courts, I will proceed to the provisions of the Bill. My Lords, this Bill, directed as it is to the attainment of a great public object, professes to accomplish that object without taking one shilling of the public money. The financial part of the measure requires some explanation, and I beg your Lordships' attention while I carry the House through some details, in order that you may be the better able to understand this portion of the scheme. The sources from which the money required for the acquisition of the land and the building of the Courts of Justice are intended to be derived are three. First of all, there is a sum of £200,000, which is to be advanced by the Government as the price of the buildings and ground, the site of the present Courts of Law, which the Government will have received and will have at their disposal when these Courts have been erected. Now, my Lords, I take it—and a very slight examination of the subject would bring any one of information to the same conclusion—that the property which the Government will receive in return for this £200,000 greatly exceeds that sum in point of value. First of all, the whole of the site to the West of Westminster Hall now occupied by the Courts of Justice will be entirely released and given up to the Government. I think it was in the year 1850 that the late Sir Charles Barry valued that piece of land, if it were sold for building purposes, at upwards of £86,000; and there are a large number of buildings in other places which are now used for purposes connected with the Courts of Justice which I have no doubt will become available for a sum of money considerably exceeding the rest of the £200,000. The next source of the money to be expended is afforded by the Suitors' Fund in the Court of Chancery; and here, my Lords, I must beg your Lordships' attention for a few moments to some details which are requisite to understand the nature of that fund, and the manner in which it admits of being appropriated to this purpose. Your Lordships are all aware that the Court of Chancery may be described not only as a Court of Justice, but in reality as a great bank, in which considerable sums belonging to the suitors are deposited. These sums are not required on many occasions to be invested and they therefore accumulate in the hands of the Accountant General until they arrive at a very considerable amount. My Lords, in ancient times, and as lately as the year 1725, these unemployed balances were permitted to be applied by the Masters to their own personal benefit. The same practice, your Lordships are aware, formerly existed in the case of the Paymaster of the Forces, who was allowed to retain large balances, and the profits of the office arose in a great measure from the interest derived from that money. But in the year 1725 it was found that some of the Masters in the Court of Chancery were defaulters with regard to this money, and shortly afterwards, for the purpose of reimbursing the moneys which had been improperly applied, provision was made by means of a tax which was laid upon all suitors in the Courts, including the suitors in the Common Law Courts. Subsequently, about the 20th year of George II., the propriety of making use of some of those balances occurred to the Legislature; and accordingly an Act of Parliament was passed by which the Accountant General, acting under the authority of the Lord Chancellor, was empowered to invest in the public funds such sums as were not required for the ordinary purposes of the Courts. These investments grew to a large amount, and from them a considerable income was derived. The Court of Chancery, therefore, did, with regard to the moneys it received from the suitors, precisely what an ordinary banker does with respect to the money of his customers. He receives the money of those customers, retains the amount which may be necessary for the purposes of the bank, and invests the difference, the profit resulting from that investment being the banker's property. In like manner, the income resulting from these Chancery investments has been dealt with by Parliament again and again as money which belonged to the public, and which the public had a right to employ in any manner it pleased, and to regard as standing in the same relation to itself as the profits of the banker stand to him. The profits, therefore, resulting from these investments have been applied under the authority of Parliament to a great variety of purposes. Sometimes parts have been applied to buildings belonging to the Court of Chancery, at other times in part payment of the salaries of officials, and at other times to other purposes connected with the law—all these applications evincing this great principle—that Parliament regarded it as a public fund, to be devoted from time to time to such objects as might be deemed necessary for the public welfare. The funds representing the investment of the suitors' money from time to time amount now to a sum of £2,931,047. That is not the fund with which this Bill proposes to deal in any manner whatever—it belongs to the suitors whose money has produced this amount. But, my Lords, the profit, which I will denominate the banker's profit fund, has grown out of the dividends resulting from these investments, and belongs to no one but the State, at whose risk the investments have been made. If the stock produced by this money was not sufficient for the repayment of the suitors to the full amount, the State would be bound to make good the difference. Now, there is very little apprehension that the money which upon an average has been invested taking Consols at 87, will not be forthcoming when required. Unless there should be a general failure in the institutions of the country, it would be utterly impossible that there should be any deficiency in the amount of those investments. Now what I have called "the banker's profit fund"—that is to say the amount of stock which has resulted from the reinvestment of the dividends on the original investments — amounts to £1,291,629. That is the sum which I have described as public money, which has been repeatedly dealt with by the State as such, and belongs to no individual whatever. The object of the Bill is to take out of the fund £1,000,000 of stock, which at 90 will raise £900,000. The sum which it is desirable to raise is £1,500,000, and this is divisible into two parts. The first moiety of £750,000 is to be applied as purchase-money of the buildings and lands upon which the Courts of Justice and offices are proposed to be erected. There is every reason to believe that this estimate is beyond the amount that will be required. This particular site was valued originally in 1849 by Sir Charles Barry and a surveyor of great local information at £670,000. It was afterwards valued by another surveyor at £678,000; and finally, for the purposes of the Commission issued by my noble Friend below me, it was re-valued, and the Commissioners saw no reason to distrust the accuracy of the former valuations. The property was subsequently valued by Mr. Hunt, a surveyor employed by the Government, and also by Mr. Pennethorne, Architect of the Board of Works, and they put the extreme value at £700,000, so that in allowing £750,000 there is little reason to suppose that sum will be exceeded. There is a margin of £50,000; and if the management of this building is conducted with care and prudence, and if its construction should have the competent and fitting superintendence which it is the object of this Bill to secure, and which it is the desire of the Government it should receive, there is no reason to expect any great excess of expenditure above the estimate. That leaves £400,000 still to be raised, in order to make up the sum of £1,500,000, and this sum of £400,000 it is proposed to supply by a small tax on suitors in the Courts of Law, and on those who prove wills and take out letters of administration in the Probate Court. A very trifling sum of 1*s.* 6*d.* payable on every writ issued in an action, and of 2*s.* 6*d.* on every grant of probate or administration, will be quite sufficient to produce more than the sum of £16,000 a year. The sum of £400,000 will be advanced by the Government, charging the Courts of Justic 3½ per cent, and then the sum of £16,000 a year having been raised for fifty years, the principal and interest of the capital sum will be redeemed. The amount of additional charge is so small that it will not be felt by the suitors of the Courts of Law, and, therefore, this great public work will not cost the public a shilling. It will be accomplished by the appropriation of money that it is perfectly right and just to take, and which in its appropriation will render the suitors a greater amount of advantage than they could obtain in any other way. I must trespass for a few moments on your Lordships' patience while I advert to the grounds on which my noble and learned Friend (Lord St. Leonards) will probably rest his opposition to this measure. In 1834 a great change was made by an Act of Parliament in substituting fixed salaries for the fees that had been previously received by the officers of the Courts of Justice. All the fees were then directed to be carried to the Fee Fund, out of which the fixed salaries were paid. My noble and learned Friend (Lord St. Leonards) brought in a very useful Act of Parliament in 1852, by which the whole of the income arising from the fund I have described, including the income from the sum of £1,290,000, was to be carried to the account of the Suitors' Fee Fund, and to be from time to time applied under the direction of the Lord Chancellor in the reduction of the court fees. It is natural that my noble and learned Friend should continue to be attached to his own measure, and he has come to the conclusion that the best application of the sum of £1,291,629, or any part of it, would be in making a further reduction in the fees of court instead of applying it to the erection of the concentrated Courts of Law with all the necessary conveniences. But the fees of court payable by suitors form only an insignificant proportion—not more than 8 per cent — of the whole amount of costs—in a bill of costs, that is to say, of £100, the fees of court will amount to £8 only. If every portion of the income derived from the money now proposed to be taken were applied to the reduction of the fees of court it would not reduce them more than from 8 to 4 per cent; that is to say, out of every £100 paid by the suitor he would have to pay, as fees of court, £4 instead of £8. Now, in what way will the suitor get greater benefit by this Bill than by reducing the fees of court? Why, he will get it by expedition, by a diminution of delay, by the saving of time as well as by the economy of expenditure which will be the consequence of this concentration of the Courts of Law. The best witnesses on this point are the solicitors, and they state to a man that the benefit which the suitors will derive from this measure will be infinitely beyond that which they would derive from the diminution of court fees. On this point there is no conflict of testimony. My noble and learned Friend stands in a situation which does not dismay him, but he stands alone, for he can bring forward the testimony of no single witness to support his view. No man of weight in his profession would support my noble and learned Friend in the opinion to which he naturally clings, or assert that the benefit of reducing the court fees would be greater than that conferred by this measure. All this is manifested in a remarkable way not only by the testimony collected from other sources, but by the testimony obtained by the Commission issued by the late Government in 1852. A large number of solicitors of the greatest respectability and experience, and whose opinion is entitled to the greatest weight, were examined, and all concurred in thinking that this measure, if passed, will be a measure not for a single moment to be contrasted, in regard to the benefit of the suitor, with the benefits resulting from the reduction of the fees of court. The accomplishment of this object has been much facilitated by the device which has been hit upon of separating those portions of the fund that were regarded as applicable to the building of these courts from the portions charged with the payment of compensation. Some years ago compensations were granted in considerable numbers to officers of the Court of Chancery, on occasion of certain alterations made in that court, and were charged upon the income derived partly from the Suitors' Fund and partly from the Fee Fund. Out of the Fee Fund there has arisen another fund, consisting of the investment of the surplus, and now amounting to £201,208. The amount of existing compensations has been accurately ascertained, and we find that on the 1st of January of the present year these amounted to £49,369 per annum; and the experience of the last nine years shows that these compensations fall in at the rate of about £3,500 yearly. From calculations made by actuaries we find that the whole of these annuities might be redemed or capitalized for the sum of £437,900. Your Lordships will remember that the residue of the bankers' profit fund, after deducting the £1,000,000, will amount to nearly £300,000; and, adding to this the £201,000, the surplus of the Fee Fund, a sum will be obtained which will be equal, and more than equal, to redeem the whole of these annuities. Whether, therefore, we buy Government annuities of equal amount, or whether the Government becomes its own insurer and takes its chance of the annuities running out, as it is expected they will do in eighteen years, the calculation is that the funds I haue mentioned will leave a surplus of £150,000. If they are capitalized, then the surplus income that will be derived from the surplus funds that I have mentioned, after raising £433,000 will yield a clear income of between £4,000 and £5,000 a year. In every point of view, therefore, the financial scheme seems open to no possible objection —to no danger of miscarriage. There can be no purpose more akin to the origin of the fund itself, more just, or more germane to the character of the moneys that we purpose shall be thus allocated, than the raising of a large Temple or Palace of Justice commensurate with the dignity of the country, in which conveniences shall exist conducing greatly to the useful administration of justice. And I cannot conceal from your Lordships, that I am sanguine enough to believe that in accomplishing this great object there will probably be another benefit, infinitely greater than any which I have stated. You are all aware that in this country, from an unfortunate circumstance connected with its early history, it became necessary to establish different legal institutions, in the shape of Courts of Equity, from those which previously existed; and hence it was that a large portion of national justice that ought to have fallen under the administration of the Courts of Law became separated, and relegated altogether to the jurisdiction of Equity. Unfortunately, therefore, you have this great anomaly, that many of the most important relations of life will not be recognized by Courts of Law. The ordinary relations of trustee and beneficiary, those subsisting between partners, and again between executors and legatees, are either ignored altogether by the Courts of Law, or else they provide no adequate remedy in cases where these several relations are involved. The result is that you have two great departments of justice, one proceeding on principles sometimes antagonistic to those of the other—one of them recognizing certain things as just and right of which the other knows, and for which it cares nothing. This is a great evil in the administration of justice, and it is very desirable that there should be a simple and uniform mode of procedure adopted by all the Courts. Unluckily this division has been to a great extent perpetuated by the manner in which the Courts of Equity have been separated in point of locality from the Courts of Law. But if they were brought together—if there were a free communication of ideas and opinions between the practitioners in one set of Courts and the practitioners in the other, and if the habits and modes of procedure of both were rendered familiar and matters of daily contemplation to the profession, this great division, which it has been the desire of modern legislation to break down, would soon disappear, and we should be enabled to say that our Courts of Justice recognized the same principles and the same method of procedure, and that the same questions would be treated in all the Courts with one uniform set of principles and maxims of justice. I expect, undoubtedly, that this will be the remote consequence of the measure that I desire now to propose. Its immediate consequences are those which I have endeavoured imperfectly to describe, but which are abundantly manifested by the eager desire of all persons interested in the administration of justice not to allow this Parliament to pass away without the accomplishment of this one public object. It has been opposed at various times; but I am glad to say that within the last few weeks that opposition has almost entirely disappeared; so much so that I am happy to state to your Lordships that even the Society of Lincoln's Inn, who were its great opponents, have joined in presenting a petition to the House of Commons, earnestly praying that the measure may pass; and I have reason to believe that this view will also be embodied in a petition to be presented to your Lordships. There are many other subjects connected with this matter that I should be glad to refer to had I any reason to believe that any serious opposition is intended to the Bill; but I do trust my hon. and learned Friends will join with all those whose names we have heard to-day in support of this measure; because I am convinced that of all the proposals I have seen since I have had the honour of belonging to the profession this undoubtedly is one of the most desirable, full of the greatest promise, calculated to effect the greatest amount of benefit, and with regard to which no sincere and true Reformer would, I think, desire to see his name recorded in opposition.

Moved, That the Bill be now read 2ª.—(*The Lord Chancellor.*)

Lord ST. LEONARDS said, he had taken former opportunities of stating that he had no objection whatever to the concentration of the Law Courts. Once the site was fixed upon, and the proper funds found for the accomplishment of the object, the proposal itself would receive no opposition at his hands. His noble and learned Friend, indeed, in his zeal for the measure, had, he thought, over-estimated some of the inconveniences and dangers connected with the existing system. Until he heard his noble and learned Friend enumerate them—the want of accommodation, the unwholesome atmosphere, and other inconveniences connected with our courts—he had but a very faint conception of the miseries among which so many years of his life had been passed. His noble and learned Friend had not attained the same age as himself, but yet he was not a bad specimen of how a man might face the terrible atmosphere in which, according to his own account, he had so long been doomed to live. His noble and learned Friend had also favoured them with a dissertation on a subject which he had not expected to find introduced on that occasion—the fusion, or as he (Lord St. Leonards) should call it, the confusion—of law and equity, and seemed to think that both departments of the law would soon be conducted on the same principles if the courts could only be brought to meet in the same locality. When, however, the Court of King's Bench and the Court of the Lord Chancellor occupied a position in Westminster Hall in the closest contiguity to one another, not the slightest advance was made towards the amalgamation of the two distinct legal systems which they administered, and no human being ever thought of such an amalgamation. He therefore believed that his noble and learned Friend must take a different course if he desired to bring about that object. Lord Campbell, when he held the Great Seal, he might add, had introduced a Bill to effect that object, but the Select Committee to which it was referred came to the unanimous decision that all the clauses relating to the fusion of law and equity should be struck out; while the Lord Chancellor, who presided over the deliberations of the Committee, had never attempted to disturb that decision, although he had announced it to be his intention to take the sense of the House with respect to it. But be that as it might, the fact was that the Bill under discussion would not result in the concentration of all the courts on one spot. The Central Criminal Court, the Bankruptcy Court, and the various *Nisi Prius* Courts would not, for instance, be included in the scheme. It was, indeed, proposed that it should embrace the Divorce and Lunacy Courts; but he very much doubted whether it would tend to the public advantage that the former court should be made more easy of access to the number of young men having very little to do, who were in the habit of lounging from one court to another. For his own part, he thought it would be productive of very great advantage if the cases which came before the Divorce Court could as far as possible be heard in private; while nothing, he thought, could be more painful than that the friends and relations of those unhappy persons whose cases came before the Lunacy Commissioners should be obliged to attend in a court situated in the midst of several others, and therefore more liable to be the centre of a large crowd. Such a tribunal ought, in his opinion, to be as quiet as it could be made, and ought to be excluded from such an atmosphere as that by which it would be surrounded if removed to the new site. It must, moreover, be borne in mind, in dealing with the question, that their Lordships' House would not be prepared to abandon its jurisdiction, that the Privy Council would not part with theirs, and that those great tribunals, therefore, would find no place in the proposed plan. The Charity Commissioners and the Inclosure Commissioners were still to be left in expensive residencies in St. James's Square, and the Land Transfer Court in Lincoln's Inn Fields. But the truth was that there was no intelligible plan whatsoever, and that being so, he for one was entirely opposed, at all events, to the removal of the Courts of Equity. He said nothing of the removal of the Courts of Law, except that he thought that the funds which it was proposed to take ought not to be appropriated to such a purpose. As regarded the Courts of Equity, they were six — namely, the Lord Chancellor's, the Lords Justices, the Master of the Rolls, the Court of the senior Vice Chancellor, and the two courts of the junior Vice Chancellors. Now having himself presided in one of them, he could bear testimony to the fact that it was well ventilated and convenient. The Master of the Rolls, he might add, had stated in his evidence that there was not the slightest objection to the court in which he sat, while it had the advantage of being close to the Record Office, over which he was trustee, and in the immediate vicinity of which it was desirable he should be located. The Rolls Court, nevertheless, it was proposed to remove, for no other reason that he could see than the love of change, advantage being taken of the fact that two of the Vice Chancellors' Courts were not all that could be desired in order to get up an agitation on the subject. Those courts, however, might very easily be improved, and they would have been before now—for the Society of Lincoln's Inn were prepared to remedy the deficiency— but for the scheme under discussion, which had been a long time in contemplation. But let him suppose the Courts of Common Law only were concentrated on the proposed site, was it not evident that they would be in as close proximity to the Equity Courts as could be wished? It was only a few steps across from the present Equity Courts to the site of the Courts yet to be erected. He said, therefore, that it was not necessary to remove the Courts of Equity to the proposed site, and that they were to be taken there only as an excuse to enable the Government to help itself to the funds which belonged to the suitors, and which ought not to be touched for such a purpose. His noble and learned Friend had told their Lordships that the Carey Street site would embrace about seven acres and a half of ground; but he had not told them that there were now upon that space about 400 dwelling-houses, warehouses, and buildings; that the dwellinghouses were inhabited by more than 4,000 persons, and that of these upwards of 3,000 and some hundreds belonged to the labouring classes. He had, indeed, truly told them that many of the occupants of these houses were of filthy habits, and that fever was always to be found upon this spot. What, then, were they going to do? Where were they going to remove this misery? Whither where they going to carry the fever? Wherever they moved these people they would be moving fever patients. The question had been put in every possible form, and no man had been able to indicate a single locality in which they would be received. Would they remove them in a state of fever? They would never find them free from it, and what was to become of them? There had been no greater misfortune in this city than these displacements of vast masses of human beings, who were left to find a settlement for themselves. The consequence of such measures was that they were driven into districts already overburdened with population, and thus the evils of overcrowding became greater every day. Would there be less fever or more cleanly habits in the places to which the people who were to be displaced under this Bill would be driven than now existed among them? They could not sleep under the canopy of Heaven—they must have some dwellings —where were they to be found? There was no attempt made in this great Government measure to find a single habitation for any one person whom it would drive out of his house. Where was the care which the Government ought to take of the people whom it was about to disturb? Where was the regard to the health and happiness of the humble classes for whom so much sympathy was expressed? The Government were about, unnecessarily, to disturb the Courts in Lincoln's Inn, in order to clear a site which was covered by houses occupied by a population whom they were driving out of house and home, and who had no place to flee to. And they might avoid much of this mischief by leaving the Courts of Equity in Lincoln's Inn, where they had been for a century and a half, and which were well suited for the purposes to which they had been dedicated. Where was the money to come from? It was a wise thing to take care before you began to build a house that you had money to pay for it; but he could nowhere find any reliable evidence as to what would be the cost of this building. The evidence which had been given upon that subject was perfectly farcical. It was singular that the Government did not at first think it necessary to provide for accesses to this mass of congregated Courts. The words "including approaches" were added to the Bill in the House of Commons, and since then accesses had been talked about, but without describing what they were to be. What where the accesses which the Government intended to provide? Some years ago he was a Member of a Committee of the House of Commons which sat upon a Bill, the object of which was the concentration of the Courts in Lincoln's Inn Fields; and the late Sir Charles Barry, then Mr. Barry, admitted, in answer to questions which he put to him, that it would be necessary in order to provide approaches to open out the two Turnstiles and clear away Clare Market, and he could not deny that these openings might not cost a million of money, but, alarmed at the admission, he on the following day produced an elaborate plan, according to which the cost of these alterations was to be provided for by the erection of buildings upon the land which would not be required for the accesses. What was necessary to be done then would be necessary now. The two Turnstiles must be pulled down—Lincoln's Inn would object to any interference with one of them—Clare Market must be got rid of, and all these streets must be widened at the expense of the suitors in the Court of Chancery. Could anything be worse than the street which now ran from Covent Garden to Lincoln's Inn Fields? It was a dirty wretched lane, in which two carriages could not pass, and if these Courts were to be erected upon the site proposed it must be widened and improved. Not one tittle of evidence had been laid before the House to prove that any of the proposed plans could be carried out for the sum mentioned by his noble and learned Friend. He now came to the most important part of the question—namely, the right they had to take the Suitor's Fund, and to apply it to building Common Law as well as Equity Courts. On this point the noble and learned Lord on the Woolsack had followed the example of the Commissioners, and had professed to regard the Fund as belonging to the public, and liable to be dealt with accordingly. If it were true that the Fund was public property, how was it that successive Governments had not helped themselves to the million sterling, which would often have been very acceptable? How was it that no Chancellor of the Exchequer had been tempted to seize upon it? The reason was that they had not dared to touch it—they had not dared to touch it because the foundation of this country's prosperity was its integrity and its honesty of purpose. If this measure were carried, they would break in upon the rights of property to a greater extent than had ever been attempted during the course of the last century, and they would find it a most unexampled and a most dangerous proceeding. If the argument of the noble and learned Lord were well founded, why should they not also seize upon the two millions in the hands of the Charity Commissioners? Why should not those two millions be taken and the interest upon them paid by the public? Why not seize the money, enter the transaction in a "Great Book," and leave the rightful owners to the mercy of future Governments? He regarded such transactions as putting an unholy hand upon the property of others, and as contrary to the constitution of the country, and setting an example akin to that of France in its most violent revolutionary periods. The recital of the Bill said the Fund was standing to an account for the benefit and the better security of the suitors in the Court of Chancery, and that it had been accumulated from the profits of investment at the risk of the Government. Well, a pickpocket certainly ran some risk in helping himself to other people's property, but it had never been suggested before that the risk he ran gave him the right of ownership in the property he stole. The noble and learned Lord had drawn an analogy between the case now under discussion and that of a banker and his customer. But no such analogy existed: The only customers were the suitors whose property was dealt with. If it suited a person's purpose to deposit money with a banker, the parties immediately stood in the relation of creditor and debtor—there was nothing of the nature of a trust in the transaction, and the banker took the money on the clear understanding that he was to use it for his own benefit. He would ask their Lordships also to observe how the present proposition infringed upon the general principles of equity. If a man placed money in the hands of a trustee without any authority to invest it, but the trustee did, notwithstanding, invest it —in the Three per Cents, for instance—he would be compelled to transfer the stock to the owner of the money, and also to pay the costs of suit. Such a trustee would not be entitled to any profit of such investment, whilst he would be liable for all loss. In like manner the Court of Chancery had no right to a single shilling of profit out of the funds now in question, which it held in trust for the benefit of the suitors. Nor, had the public any right to them, for every shilling belonged to the suitors in the Court of Chancery. It is said that no individual suitor has a right to any portion of the Fund; but the suitors, as a class, are entitled to it. He held in his hand a statement of all the Acts of Parliament relating to these Funds, and they all showed that every investment of these moneys had always been carried to the credit of an account for the ease, or the benefit, and security of the suitors in the Court of Chancery. He believed that if these funds were now taken possession of for other purposes the time would come when the precedent thus set would be lamented. By the Act of 1852 the Lord Chancellor was authorized from time to time to vary, reduce, and abolish any fees, and to substitute others in place of them; and the salaries of such of the Equity Judges as were payable by Act of Parliament out of the Suitors' Fund were charged on the Consolidated Fund, instead of being paid out of the money of the suitors. What could be more absurd than the course now proposed, when in 1852 the Suitors' Fund was relieved from a charge of £9,000 a year, to which it was actually liable, because it was said that a public liability should not be placed upon this fund, but ought to be entirely borne by the State. After that proceeding it was ridiculous for the Government now to treat the fund as a public fund and to help themselves to a million of pounds out of it. He disapproved altogether the proposal to take the Suitors' Fee Fund for building these Courts. The Bills before the House indirectly, but actually, repealed existing Acts of Parliament with regard to this Fund; and by law and by every consideration of equity and right the Fund stood pledged to the suitors for the reduction of the fees with which they were chargeable.

THE DUKE OF ARGYLL said, this was a subject on which it was well known that his noble and learned Friend (Lord St. Leonards) entertained a strong and, as he hoped the House would think, an extreme opinion. He would not attempt to offer any reply to the arguments of the noble and learned Lord, except in connection with another part of the subject, to which he wished for a few moments to direct attention. He thought that his noble and learned Friend had failed to draw a proper distinction between two wholly separate parts of the subject—between objections taken to the system under which this Fund had arisen, and objections to taking possession of the Fund now it existed and was at the disposal of Parliament. As to the question whether this Fund was or was not at the disposal of Parliament it was necessary to inquire how it had arisen —now it had arisen in this way. It had been the custom of the Court of Chancery for a century and a half to place before its suitors this option, "If you bring money into court, you may either order its investment by us, in which case you do so at the risk of your capital; or, if you decline that risk, you may leave the capital in our hands, and we will then pay no interest whatever, but will fund the capital on behalf of the Court." Under these circumstances, three separate funds arose, and it was unfortunate that the expression, "The Suitors' Fee Fund," had been technically applied to that very one of the three which in no respect belonged to suitors and never could belong to them. The Suitors' Fund properly so called included money which the suitors wished to have invested by the Court, and of which not only the capital but the interest belonged to the suitors. The second was money the investment of which they did not direct, and of which the capital belonged to the suitors, the interest being appropriated by the Court. Lastly, there was the accumulated interest which had arisen from this capital, and which the parties knew all along would be appropriated by the Court of Chancery or by Parliament. For 120 years the suitors had notice that what was called the Suitors' Fund would not be considered theirs at all except as a guarantee fund against any loss of their own capital; and for this a new Parliamentary guarantee was now proposed. His noble and learned Friend (Lord St. Leonards) had not pretended to argue that the money of that Fund belonged to any individual suitor, but maintained that it was the property of the suitors as a class. But how could suitors in the Court of Chancery be defined as a class? Part of the money had been derived from Tom Jones in 1765, and the noble and learned Lord argued that it belonged to John Robinson in 1865. Why, that fund for 120 years had, by authority of Parliament, been applied to the payment of the officers of the Court of Chancery, to the building of courts, and was at that moment charged with some £12,000 a year for the administration of the estates of lunatics—a charge which undoubtedly ought to come out of the estates of the lunatics subject to the Lunacy Commission. In every sense, therefore, it was a fund disposable by Parliament. And now he came to the question whether that money ought ever to have been taken from the suitors under the system which had prevailed since the early part of the last century. Upon that subject he sympathized largely in the feeling which his noble and learned Friend had expressed that night, and also in a speech upon a former occasion. In 1861, under the Chancellorship of the late Lord Campbell, a Commission for the purpose of inquiring into that question was appointed; he (the Duke of Argyll) happened to be Chairman, and, with the exception of one Member, they came to the conclusion that it was not a just system towards the suitors that those who did not choose to invest their money should lose the whole of the interest upon it, and that the whole of that interest should be devoted to the purposes of the Court of Chancery. It was the opinion of the members of the Commission that the Court of Chancery ought not to pay its expenses out of fees which were levied on the suitors, and that if it was the object of Parliament that the Court of Chancery should support itself to a great extent by fees levied upon suitors, it should be done upon a system which should levy the tax equally and justly upon all the suitors coming into the court; but that was not done at present. A large portion of the funds of the Court of Chancery was brought into it by persons who had no beneficial interest whatever in the money. They got rid of their responsibility and were perfectly indifferent as to the accumulation of interest. Under those circumstances it constantly happened that rather than risk the investment of the capital, they left the money in the hands of the Court, and those to whom it belonged lost the whole of the interest during all the years the litigation might be carried on. He did not think that was just. It should be remembered that there were many suitors in the Court of Chancery who brought into it no money whatever. Therefore, so far as the expenses of the Court were paid out of the funds of those who brought money into it, they were defrayed by them alone. He thought that system unjust, and that the funds ought never to have been allowed to accumulate as they had done. He had no doubt whatever that now they belonged practically to no one individual nor to any body, but were at the disposal of the Parliament of the United Kingdom.

Lord CRANWORTH said, the question divided itself into two heads — first, whether the concentration of the Courts was desirable in itself; and secondly, whether the funds which it was proposed to devote to that object could justly be so applied. With regard to the expediency of concentrating the Courts, as an abstract proposition, no one could have any doubt upon the subject. To have the Courts, if not under one roof, at all events as easily accessible from one another as possible would be of great advantage. But having said so much he should be acting dishonestly if he were not to add that his noble and learned Friend (the Lord Chancellor) had in his opinion greatly exaggerated the advantages which were likely to result from that concentration. His noble and learned Friend had talked of diminishing the expenses of litigation. But he (Lord Cranworth) did not think that any perceptible diminution of expense would follow the change. He ventured to predict that not one of their Lordships would live long enough to see a single 6*s.* 8*d.* reduced to 3*s.* 4*d.* in consequence of the concentration of the Law Courts. No doubt it would be convenient to practitioners, Judges, and witnesses attending the Courts to have them in one place and this was a very desirable object. It was commonly said that it would be convenient to suitors. He doubted that. A man was unfortunate who had one suit in his life, and, if that were so, suitors would not personally derive great advantage from the change. But the important part of the question was as to the funds. Upon that subject he entirely agreed with his noble and learned Friend on the Woolsack, and entirely differed from his noble and learned Friend (Lord St. Leonards) who had just left the House. He went to the utmost possible length upon that point. The moment a litigant was by order of the Court compelled to pay his money into court he was compelled to do so by the State, by the authority of which the Court acted, and having so paid his money the State was bound to have the money forthcoming for him when he should require it. The State was banker; the Accountant General, the Court of Chancery, and all its functionaries were merely persons employed to manage the money. If, then, the State took the money upon its own responsibility it was entitled to take it for any particular purpose, and, as a large sum was wanted for Courts of Justice, it seemed a very good way of applying the money. But there was another portion of the scheme which he deeply deplored, and that was the tax upon affidavits and other law proceedings not in the Court of Chancery, but in the other Courts. His noble Friend the Duke of Argyll had taunted him with adhering to Bentham's policy. But he was free to acknowledge that he deeply regretted that the theory of that eminent man on the subject of Law Taxes should be thrown overboard. The first duty of the State was to provide machinery by which a man might be enabled to recover a right which was withheld from him; and the moment a tax was imposed upon him, before he could obtain his right, that was done by which Jeremy Bentham pointed out in a way that was unanswerable — the first principles on which Government was founded were violated. If, as in some continental countries, they were to tax the losing party on the ground that he had withheld his rights from an innocent man, that might admit of more justification; but the tax which it was now proposed to impose extending as it did to litigants generally he deeply deplored. He approved the site chosen for the Courts, and could not think there was any danger of noise reaching those buildings from the public thoroughfares outside, when so large a space as 7½ acres was to be purchased under a Bill now in their Lordships' House.

Lord REDESDALE said, that one objection against the site was that it would certainly cost £750,000, and there was no probability that this would be the limit of the expense. Another objection he had to the scheme was that it could not be carried out without doing that which ought not to be done without absolute necessity. The residences of a great number of persons who were employed in the heart of the City, would be pulled down to form the site for those Courts, without provision being made for lodging those people elsewhere. It was clear that a very great expense must be incurred in making suitable approaches to the proposed Courts, and as to the buildings themselves their Lordships had no means of estimating the sum which they would cost. It appeared to him that there was no good reason for removing the Courts from Westminster, where they could be enlarged and made sufficiently convenient for every purpose. By means of the telegraph and of the underground railway along the northern embankment of the Tames, the communication from Lincoln's Inn and the Temple to Westminster would be so rapid that the argument founded on the fact of the new site being so close to the residences of the lawers had not the force which the promoters of this scheme were disposed to claim for it. He was afraid that in an unguarded way Parliament was entering on a speculation which would turn out to be a much less satisfactory and a much more expensive one than was at present generally supposed.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

Then,

COURTS OF JUSTICE CONCENTRATION (SITE) BILL—(No. 56.)

Order of the Day for the Second Reading read.

Moved, That the Bill be now read 2^a; objected to; and, on Question, *agreed to.*

Bill read 2^a accordingly, and *committed* for *Monday* next.

House adjourned at a quarter before Eight o'clock, till Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, April 28, 1865.

GREENOCK RAILWAY BILL.

MOTION FOR RE-COMMITTAL.

MR. E. P. BOUVERIE: If the House will favour me with its attention, I will briefly explain on what grounds I move that the Greenock Railway Bill be re-committed. This case is one of first impression, originating in the new practice under the recent Standing Orders of the House on the subject of Private Bills. It is one of some peculiarity. The House is aware that the new Standing Orders require the Referees on Private Bills to make a Report on certain points. One of these points is the sufficiency of the estimates for the works proposed. The Standing Order says that the Referees shall inquire into the engineering details, the sufficiency of the works for the proposed object, and the sufficiency of the estimates for executing the same. Now, the Referees considered these questions, and made a Report to the House, which, unfortunately, was couched in ambiguous terms, which neither found the estimates sufficient nor insufficient. The Report was in these terms—"The Referees consider that the promoters' estimate is vague and unsatisfactory." The House will observe that the finding was ambiguous, and capable of being regarded by the Committee, as either sufficient or as insufficient. After hearing counsel the Committee—which was presided over by the hon. and learned Member for Reading (Sir Francis Goldsmid)—found, in the following terms—

> "That the Report of the Referees on Private Bills has been referred to the Committee, which Report is considered by the Committee as stating the opinion of the Referee that the estimate is not sufficient for the proposed undertaking; and in consequence of said Report the Committee did not proceed to consider the allegations in the preamble, and determined to report that the preamble is not proved to their satisfaction."

The parties, therefore, by this preliminary conclusion, were precluded from going into the merits of the Bill. The Bill was rejected and reported against, and unless it be re-committed it is gone. Now, the question for the House to consider is whether the finding of the Referees' Report was a finding that the estimate was insufficient; and I have some reason to believe—of course I have no right to quote the Referees—but I have some reason to believe that if the Committee had communicated with the Referees on this question, they would have been told that it was not intended to convey by that Report to the Committee that the estimate was insufficient; nor did they wish to preclude the Committee from investigating the merits of the case. This matter, therefore, is one on which we are fairly entitled to hear the opinion of the Referees in this House. As far as I understand it, this is more or less a miscarriage of justice, owing to the terms in which the opinion of the Referees was expressed, they not being in exact accordance with the language of the Standing Orders. I do not, therefore, understand why the Committee should have thought fit to prevent the farther progress of the Bill. The consequence is that the parties have not been heard. This, of course, is purely a technical question, and does not relate at all to the merits of the case. And as it is the first point that has arisen under the new state of things, I have thought it advisable to bring the matter under the notice of the House. It is simply a question whether this has been a miscarriage of justice in consequence of the Committee misunderstanding the intention of the Report of the Referees. I observe Gentlemen in the House distinguished Members of the Court of Referees, and, therefore, I hope they will take the opportunity thus afforded them of expressing their intention by this Report, and that the House will take care that through this unfortunate ambiguity injustice is not done to those who promoted this Bill. I now beg to move that the Bill be re-committed to the former Committee.

MR. DUNLOP: I beg to second the Motion made by my right hon. Friend. I sincerely hope that some means will be taken to enable the parties to be heard on the merits of this scheme. I should have thought that when a doubt was felt by the Committee as to the intention of the Referees, reference would have been made to them to know their meaning. I think it is a case in which they might and ought to have done that; and if there be any doubt still remaining, I trust the Referees will explain what their intention was.

Motion made, and Question proposed, "That the Greenock Railway Bill be recommitted to the former Committee."—(*Mr. Edward Pleydell Bouverie.*)

Mr. ADAIR: As I was one of the Referees who signed the Report, I will take the liberty of briefly explaining to the House the circumstances adverted to by the right hon. Member for Kilmarnock (Mr. E. P. Bouverie). A practice has crept in among engineers of drawing up their estimates in a very loose, vague, and unsatisfactory manner; and since the establishment of the Court of Referees, it has been determined by us that we will have these estimates more clearly set out. When we came to examine the estimates, we heard a great deal of conflicting evidence on the subject, we were not satisfied that as much care—though as much as the previous practice of Parliament had required—had been exercised on this occasion, as we should in future insist upon; and, therefore, with that view, I and my Colleagues thought it necessary to introduce in the Report the words that the estimates were "vague and unsatisfactory." We should perhaps have said that the principle on which the estimates were framed was "vague and unsatisfactory," or some words to that effect. We were satisfied that though we should not have been justified in declaring that the estimates were "insufficient" for the works contemplated, yet the principle on which they were framed was "vague and unsatisfactory." We also thought it our duty to draw the attention of the Committee to the fact that in an estimate of £350,000, on the promoters' own showing there was only left a margin of £5,000. It was under these circumstances that we made the Report containing the expressions which have been read. We were satisfied that the estimate was sufficient, though the principles on which it had been framed were so "vague and unsatisfactory;" and we hoped this would be received as an intimation that greater accuracy ought to be shown, and would in future be required by the Referees.

Sir EDWARD COLEBROOKE: I wish to say a few words in corroboration of what as just been said by my hon. Colleague. Having shared with him in drawing up this Report, I concur with him in all he has said with regard to the circumstances under which it was drawn up. We considered whether we should not declare the estimate "insufficient," but we had some hesitation in doing that, although there were circumstances to which we thought it proper respectfully to draw the attention of the Committee, so that they might consider the whole question; but nothing was farther from our intention, in drawing up that Report, than that we should altogether debar or preclude the Committee from considering the Bill on its merits.

Mr. BAILLIE COCHRANE: I have, I confess, been not a little surprised at the Motion which has been made by the right hon. Gentleman the Member for Kilmarnock. I should certainly not have expected such a Motion to emanate from a Gentleman of so much experience as my right hon. Friend. The right hon. Gentleman says there is great ambiguity in the language used by the Referees. Now, I cannot think so. There appears to me nothing at all ambiguous in the phrase they have employed. The estimate is pronounced by the Referees "vague and unsatisfactory." The Chairman of the Committee, a Gentleman of great experience in such matters, tells us that on the ground of that Report they decided on throwing out the Bill. Are we thus to understand that whenever a Bill has been thrown out because the Referees have reported against it, that the wording of their Report is to be criticized, the merits of the Bill discussed in this House, and Motions made for recommital? If you agree to such a Motion in this case, where are you to stop? All I can say is, if the terms "vague and unsatisfactory" are not sufficient to indicate that an estimate is insufficient, the terms ought certainly to be applied to the Referees' Report. I think the proposition which has been made by the right hon. Gentleman a most mischievous one, and I shall divide the House against it.

Mr. ROEBUCK: I think what has just been stated by the hon. Member is hardly sufficient to induce the House to reject the proposition of the right hon. Gentleman (Mr. E. P. Bouverie). The Referees state that the practice of the House had been such that when they came to consider it they thought it unsatisfactory, and ought to be changed. But the present estimate was framed according to the old usage. That is the first thing to be considered. Then, said the hon. Member for Ipswich (Mr. Adair), "We wanted to draw the attention of the Committee to the manner in which the estimates had been framed." Therefore they used words not in accordance with the Standing Order, but in accordance with the fact. Well, what did the Committee do? They did not pay attention to that fact, but they seized on these words, and declared the estimate insufficient. Now that, we are told by two of the Referees, was not their notion. They merely wished to call attention to the matter in hand, saying that they considered that engineers should make their estimates in a more satisfactory manner. Shall we, then, be doing justice if we refuse to re-commit this Bill? I think not. In every new system these mistakes must occur every now and then. As things go on, the machinery will work more equably; but in the outset you must expect things of this kind. Let us, when the case is pointed out, put the matter to rights; and I say, after what we have heard from the Referees, we ought to re-commit this Bill, and let the Committee determine whether the estimates are or are not sufficient.

Sir FRANCIS GOLDSMID: Having been Chairman of the Committee to which this Bill was referred, I wish to state, in very few words, what was the view we took of the Report of the Referees, and why I think, as the matter stood, we were perfectly right. I shall then, with the permission of the House, state what course I think ought now to be taken with regard to the Motion of my right hon. Friend. The question of the sufficiency or insufficiency of the estimates was referred to the Referees. It is admitted that if the estimates were found to be insufficient, the Committee ought not to proceed with the Bill. Well, the Report finds that the estimate is "vague and unsatisfactory." The first remark I make upon these terms is this—it cannot possibly be maintained that they are equivalent to saying that the estimate is sufficient. But we are told that the subsequent part of the Report makes it appear, nevertheless, that that was intended. So far as I understand the subsequent part of the Report, it has a contrary bearing. It is well known that in all works of this description unexpected expenses occur, and in order to the sufficiency of an estimate, it is necessary to allow a considerable sum for contingencies. But the Referees themselves point out the smallness of the sum. Only £5,000 on an estimate of £350,000 had been left for this purpose. It has been said by my right hon. Friend who made this Motion, and by my hon. Friend who seconded it, that the Committee ought to have communicated with the Referees, that they might have explained the language of their own Report. I think the Committee would have miscarried if they had made such a reference. The Committee thought the Referees had already expressed themselves in intelligible language; the Committee believed, and they acted on the belief, that the Referees meant by the language they had used that the estimates were "insufficient;" and I have not heard anything yet to induce me to think that the House ought to re-commit the Bill. But it is said the Referees only wished to guard against similar errors in future. I think if this Bill be re-committed, it will, in the strongest possible manner, encourage such errors. Such is the view which I myself take of this question. At the same time, if the House should think proper, after the explanation of the Referees, to re-commit the Bill, I am quite sure the Committee will be ready to proceed with the investigation on the merits.

Sir JAMES FERGUSSON: I consider this question entirely a matter of procedure. The promoters of a Bill are virtually on the defensive as regards the sufficiency of the estimate, unless a Bill is opposed on the ground of the insufficiency of the estimates. The opposition to this Bill proceeds only from a rival company; all the landowners on the line are in its favour, and the important town of Greenock, where it originates, also strongly support it. I think the House will not be inclined to draw the rule with extraordinary strictness for the sake of defeating such a Bill. The hon. Member for Ipswich (Mr. Adair) has stated that he did not think the Referees would have been justified in absolutely certifying the sufficiency of the estimates; but neither did they endorse the opinion of the opponents of the Bill by declaring them to be insufficient. I shall support the Motion of the right hon. Gentleman.

Mr. CLAY: I consider such miscarriages of justice exceedingly likely to arise in the working of new machinery; and the House can well afford not to be too strict in enforcing the rule, which it may be well hereafter to enforce with the greatest strictness. Still, if I had presided over the Committee, I should have taken precisely the same course, and probably I should not have troubled myself to explain any ambiguity in the language employed. I should have considered it enough that the Report did not certify the sufficiency of the estimate. But unless the Reports of the Referees are decided yes or no, they will not answer the purpose for which they are required. I shall vote for the Motion.

Mr. NEATE: Unless the Referees stated positively that the estimate was insufficient the Committee were bound to go into the consideration of the Bill on its merits. This being the case I think the House ought to re-commit the Bill.

Mr. BOVILL: I think it is desirable to know how matters stand in reference to the Standing Orders of the House, especially as a very serious question is raised by the Motion of the right hon. Member for Kilmarnock. The duty of inquiring into the sufficiency of the estimates in connection with works proposed to be undertaken by the promoters of a Private Bill is a duty thrown by this House upon the official Referees. I take it, that when the Referees have given their decision, no further reference is to be taken by the Committee to disprove the facts which have been reported by the Referees. The meaning of this is, that after the official Referees have inquired into the sufficiency or insufficiency of the estimates, the question of the sufficiency of the estimates is not to be inquired into by the Committee to whom the Bill is referred. If, therefore, the House decides now upon referring the Bill back again to the same Select Committee by whom it has already been considered, the Committee will assuredly feel themselves bound to abide by the Standing Orders which have already regulated their proceedings, and they will at once say that they have no power whatever to enter into the question of the sufficiency of the estimates. The result will be that there will still be no Report as to the sufficiency of the estimates in regard to the works proposed to be undertaken. As the case stands at present, the estimates have been declared "vague and unsatisfactory," and if the question is referred back again to the same Committee, I do not see what different result can be arrived at.

Mr. THOMPSON: A question has arisen whether the estimates are sufficient or not. The Referees say that the evidence is "vague and unsatisfactory," and I hope that the House will support the Report of the Referees. As a question connected with the conduct of private business of the House, I think that the Report of the Referees is now on its trial, and that it ought to be supported. If the matter had been decided in the first instance by the Committee to whom the Bill is referred, their decision would be regarded as conclusive, and would not have been challenged, because the House invariably supports the decisions of its Committees. The effect of this is most salutary, inasmuch as it prevents disputes after the decision of a Committee has once been given in regard to the preamble of a Bill. Unfortunately the decision of the Referees is not final, but the question has still to go before a Committee; and as a considerable interval elapses between the decision of the Referees being made public and being considered by the Committee, any person feeling aggrieved by the Report of the Referees has an opportunity of getting up a case against their decision. I think it is of great importance that the Report of the Referees should be supported.

Sir WILLIAM MILES: I hope the House will take care what it does on this subject. The Court of Referees when first established was not received well by the public, but since it has been in action it has gradually won their favour. If, however, a stone is to be thrown by this House at their decisions, what is to become of the public out of doors? As I understand, by the rules of the House the Referees are required to take into their consideration the question of the sufficiency or insufficiency of the estimates. It is true in this case that they have not reported that the estimates are insufficient, but they have used a term quite equal to it; and in that case, I think, after the explanation that has been given, that the Committee to whom the question was referred has acted most consistently and properly. I must express a hope, that this being a new Court, we should not now, by an adverse decision, with regard to the judgment of the Referees, call into question a Court which we ourselves have created, and which I believe is gradually obtaining the confidence of the House and the public.

Mr. W. EWART: The hon. Member who has last spoken seems to imply that the Referees have pronounced a decided opinion, whereas the real truth of the matter is, the Referees came to no decision on the question at all. The hon. and learned Member for Guildford (Mr. Bovill) has quoted the Standing Order; but if the House will refer to the wording of that Standing Order, they will find that the Referees are to decide whether the estimates are sufficient or insufficient. They have not done so in this case. All they say is, that the estimates are vague and unsatisfactory, which is a very different thing. I think the House ought to proceed in strict accordance with the letter of the Standing Order, and if they do that, there can be no difficulty in allowing this Bill to be re-committed.

MR. DODSON: I think it would be a very unfortunate custom if it should become the habit of the House lightly to re-commit Bills reported upon adversely by the Referees or rejected by Committees; but, at the same time, the House must be very careful that they do not in some exceptional cases do any act of injustice, which will fall somewhat hardly on the promoters of Private Bills. In this case I have no doubt the Referees reported accurately that the estimates were made out in a vague and unsatisfactory manner; but, at the same time, they certainly do not report that the estimates are insufficient. That Report from the Referees went before the Committee appointed to inquire into the merits of the Bill, and construing it in the strictest manner, the Committee threw out the Bill. We have now heard from my hon. Friend the Member for Ipswich, who was Chairman of the Referees, and who signed the Report on their behalf, that it was not the intention of the Referees to convey to the Committee an opinion that the estimates were insufficient. Under these circumstances, I think the House would do well to allow the Bill to be re-committed. The hon. and learned Member for Guildford (Mr. Bovill) asks how the Committee are to deal with the subject of the insufficiency of the estimates after it had already been dealt with by the Referees; and he has called our attention to Standing Order No. 91, arguing from that that the Committee have no further powers to inquire into the matter; but if the learned Member would look at the next Standing Order, No. 92, he would see that any Select Committee to which a Bill is referred, may, subject to the approval of the Chairman of Ways and Means, remit any question arising in this way back again to the Referees. Under all circumstances, I think the proper course in this case will be to allow the Bill to be re-committed, there being a power given to the Committee to refer back to the Referees their Report on any subject on which they may require information.

MR. HENLEY: I wish that the hon. Member the Chairman of Ways and Means (Mr. Dodson) had addressed himself to answering the question which was asked by the hon. and learned Member for Guildford (Mr. Bovill), which really lies at the root of the matter. The Motion before the House is to re-commit this Bill in order that it shall be referred back to the Referees upon the question of estimates. Now, no one pretends to say that the Report of the Referees holds out the slightest impression that the estimates are sufficient. The language of the Report, equivocal as it may be, is clear upon that point. We come, then, to the question of the Standing Orders, and if this Bill is to go back to the Committee, what course are they to take?—because, as I understand the effect of the Standing Orders, it is not within the scope of the powers of the Committee to go into the question whether the estimates are sufficient. If that is really so, and they cannot go into the question of the sufficiency of the estimates, the whole subject must again come before us for our decision; and we should then have to declare, upon the vague statement of the Referees, whether the estimates are sufficient or not. The Chairman of Ways and Means says very properly that this is a special case; but I doubt whether we should not be laying down a worse precedent by sending this case back to the Committee, who would be unable by the Standing Orders to go into the question whether the estimates are sufficient or not, than by letting the Bill stand over for a year, and affording time for the estimates to be laid before us in a proper form. If the Motion goes to a division, I shall certainly vote against the proposition of the right hon. Member for Kilmarnock.

MR. DODSON: I think that the right hon. Member for Oxfordshire (Mr. Henley) could scarcely have heard what I said, or he would not have made the observations which he has addressed to the House. All I did was to point out that Standing Order No. 92 gives power to refer back to the Referees any question arising out of their Report upon which the Committee may entertain a doubt.

Motion made, and Question put, "That the Greenock Railway Bill be re-committed to the former Committee."

The House *divided :*—Ayes 110 ; Noes 76: Majority 34.

GLASGOW CITY, SUBURBAN AND HARBOUR RAILWAY BILL.

RE-COMMITTAL.

Motion made, and Question proposed, "That the Glasgow City Suburban and Harbour Railway Bill be re-committed to the former Committee."—(*Mr. Wyld.*)

Motion, by leave, *withdrawn.*

POOR LAW UNIONS—AUDITORS OF ACCOUNTS.—QUESTION.

Mr. LIDDELL asked the President of the Poor Law Board, Whether it be the intention of the Poor Law Board to undertake for the future the appointment of all "Auditors of Accounts" to Poor Law Unions, such appointments having been hitherto supposed to rest in the hands of the Chairmen and Vice Chairmen of the respective Unions?

Mr. C. P. VILLIERS said, in reply, that the Poor Law Board could not undertake the future appointment of Auditors, as they had no power to do so, the appointment being vested in the Chairman and Vice Chairman of the Board of Guardians. The Committee on Poor Relief had, however, recommended that in future the appointment should be vested in the central authority, and it would be for the House of Commons to decide whether that recommendation should be adopted whenever it was submitted to them. The Poor Law Board had no wish that the appointment should be vested in them. The Committee on Poor Relief also expressed a decided opinion that the number of audit districts should be reduced as vacancies occurred, and the vacant districts incorporated with others. The power to do this was already vested in the Poor Law Board under the 7 and 8 *Vict.* c. 101, and whenever vacancies occurred they were proceeding, as far as practicable, to carry their recommendation into effect, with the view of ultimately arranging that every district should be sufficiently extensive to occupy the whole time of each Auditor. This course did not deprive the Chairmen and Vice Chairmen in the districts which were annexed to others of their right to vote at subsequent elections.

Mr. Dodson

ADJOURNED DEBATE ON THE CHURCH ESTABLISHMENT (IRELAND).

QUESTION.

Mr. WALPOLE said, he would beg to ask the hon. Member for Swansea, Whether he proposes to proceed with the adjourned Debate on the Church Establishment (Ireland), which now stands as an Order of the Day for Tuesday next?

Mr. DILLWYN: Sir, I find the Motion stands as an Order of the Day on Tuesday, and several other important Motions will come on before it. I cannot, therefore, expect to get on that day sufficient time for the discussion of a question of such importance. I therefore intend to propose the adjournment of the Order on Tuesday to some day when we can have sufficient time for its discussion. I hope to induce the Government to assist me.

UNION CHARGEABILITY BILL.

QUESTION.

Mr. FERRAND said, he rose to ask the President of the Poor Law Board, To name the day on which he will proceed with the Union Chargeability Bill; and whether he will bring it on as the first Order of the Day, so as to allow a full discussion on the effect it will have in the manufacturing districts?

Mr. C. P. VILLIERS: Sir, I cannot at this moment fix a day when the Amendment of the hon. Gentleman can be discussed. I am extremely anxious there should be no delay, and I hope next week to be able to fix a day.

Mr. FERRAND: Will the right hon. Gentleman state that he will bring it on as the first Order of the Day?

Mr. C. P. VILLIERS: I will bring it on as early as possible.

Mr. HUNT: Can the right hon. Gentleman state when the Returns moved for by the right hon. Member for Oxfordshire (Mr. Henley) will be on the table?

Mr. C. P. VILLIERS: The Returns are very comprehensive, and some time must elapse before they can be printed.

PUBLIC BUSINESS.—QUESTION.

Lord JOHN MANNERS: I beg to ask Mr. Chancellor of the Exchequer, What will be the order of business on Monday?

The CHANCELLOR of the EXCHEQUER: First will come the Address which it is proposed to move in reference to the assassination of President Lincoln. After that I propose to proceed with the

Bank Notes Issue Bill, which I have fixed for that day for some time. After that I believe my right hon. Friend (Mr. M. Gibson) will proceed with his Partnership Amendment Bill. On Thursday we propose to proceed with the Resolutions (connected with the Budget) which I laid on the table of the House last night.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

OUT-DOOR OFFICERS OF CUSTOMS.

MOTION FOR A SELECT COMMITTEE.

MR. HENNESSY said, he rose for the purpose of moving that a Select Committee be appointed to inquire into the grievances referred to in the Petition of the Mayor, Merchants, Shipowners, and Commercial Traders of Liverpool with reference to the Out-door Officers of Customs. That petition was presented by his hon. Friend the Member for Liverpool (Mr. Horsfall) on the 20th of March, and it stated that much discontent and dissatisfaction prevailed among those officers, caused by inadequate salaries, a defective system of classification, and a probability almost amounting to certainty that those gentlemen would not be able to obtain that promotion which they reasonably expected when entering the public service. Petitions on the same subject had been presented from the Lord Mayor, Merchants, and Shipowners of London; the Lord Mayor and Merchants of Durham; the Lord Provost and Merchants of Edinburgh and Leith; and the Mayor, Merchants, and Shipowners of Hull. He intended to move, also, that these petitions be referred to the Committee. The complaint of the petitioners was that in the year 1860 the right hon. Gentleman the Chancellor of the Exchequer introduced certain changes, which had had the effect of increasing the weight of those officers' duties, and of diminishing their chance of promotion without increasing their pay. In his financial statement of the previous evening the right hon. Gentleman told the House that of the surplus of £4,000,000, about £752,000 had arisen from the augmentation of the Customs. [The CHANCELLOR of the EXCHEQUER: No, the Excise.] The right hon. Gentleman was reported to have said the Customs. The change which had taken place had caused great discontent and dissatisfaction amongst 3,000 officers, whose intelligence and zeal were equal to that of any other class. There could be no doubt that the duties of the out-door officers had increased; for, in the fifth Report of the Commissioners of Customs it was stated—in reference to a state of things which had arisen after the changes made in 1860—that the duty of the officers became more arduous every year. So pressing were the demands for despatch, and so great the importance of delay, that the Commissioners had been obliged to sanction the loading of steamers in many instances during the whole night, and the discharge of import cargoes as long as daylight lasted; while the privilege of loading and discharging from six a.m. to six p.m., formerly confined to a comparatively small number of articles, had now, by the revision of the tariff, become all but universal. In another portion of their Report the Commissioners observed—

> "From the experience of the past year we feel compelled to speak even more strongly than we did in our last Report in support of every measure calculated to alleviate the severity of a blow hitherto unparalleled in the history of this, or, we believe, of any other public department."

In their Report for the year before last the Commissioners remarked that the pressure on the whole out-door department had been exceedingly severe; and they observed that the cost of collecting the Customs had been gradually decreasing, notwithstanding the steadily advancing trade of the country. He held in his hand the statement of one of those Out-door Customs Officers in the port of London, from which he found that the class to which he belonged had a chance of rising by promotion to £130 a year, that it could not now rise beyond £90, and that there were other serious changes which had worked most detrimentally to their interests. The Minute of 1860 at once blighted the hopes of thousands of those officers. In the petition of the out-door officers of Hull to the Treasury he found it stated—

> "That the amalgamation changed all that was favourable in this state of things, by fixing the maximum at £65 and 1*s.* a day, instead of £76 and 1*s.* a day; by making £5 the uniform amount of promotion, instead of £10 and £5 alternately as before; by so enlarging the classes, especially those worse paid, as to make promotion a shadowy and doubtful thing; by reducing all actual salaries £6, though still received as personal allowance, so that when promotion does come it brings no relief, for £5 of the £6 personal allowance is applied in lieu thereof, and so no increase of income follows by lopping off unconditionally all remuneration for acting in a superior capacity, and by reducing all overtime pay to the uniform rate of 6*d.* per hour, although it was paid by the merchant, and never reluctantly in the out-door officer's case."

If the House should consent to grant the Committee he would undertake to prove every allegation set forth in the petition. As to the competitive examinations established in the service, those officers complained, and most justly. Those examinations were very right and proper upon entrance to the service; but men who had been long in the service were most unfairly required to compete in these examinations with young lads of seventeen or eighteen who had just come from school. The hon. Baronet the Member for Stamford (Sir Stafford Northcote) concurred with him (Mr. Hennessy) in the opinion that this system was bad and indefensible. There should be a simpler standard for old officers, and a slight increment of pay, according to length of service. The Government refused to accede to the prayer of the memorial from Hull, but they were afterwards induced to re-consider the matter and the Minute of April, 1864, was then issued. Yet that Minute, as the Liverpool petitioners stated, dealt only with the minor points of the question and left all the important grievances totally unredressed. Instead of the 1*s.* per day daily pay, it substituted £16 per annum, the difference between the two not being very much. He made it to amount to 4*s.* a year; but in addition to that they were allowed to get what they had not before—namely, they were no longer subject to a stoppage of 1*s.* a day during their sixteen days' leave of absence. These two sums, with another addition of 10*s.*, gave an increase of salary under the Minute to these officers of 30*s.*, per annum. The remission of £4 for the stamp on Commissions could only benefit those who were entering, not those who had already entered the service. But he must not forget to mention another extraordinary boon granted to these officers. Some of them had to provide a uniform at their own expense, but the Government decided to give them a topcoat gratuitously. How did the treatment of these officers bear comparison with that extended to their *employés* by private establishments, and that adopted towards other branches of the public service? The large merchants and traders who had signed these petitions knew what they paid to their own servants, and yet they said that these out-door Customs officers justly complained. Moreover, the merchants daily came into contact with these officers, which the Government did not. They were also the largest taxpayers, and therefore interested in keeping down the expenditure; but they were induced to move in this matter by the belief that the Government did not treat their servants as they would be treated in private establishments; and that as these men were placed in very trustworthy and responsible positions they ought to be put beyond temptation by fair salaries and reasonable prospects of promotion. Nor was that all. The merchants actually employed, and to some extent paid, these officers themselves. In the out-door offices of the port of London. there were 280 officers in the fifth class, and they received £20,000 per annum as their salaries. These men were the best paid of all; and he found that when the out-door officers were occasionally employed by the merchants, the merchants had to pay for their attendance, and the money was received by the Department. The amount paid in one year in that way was £5,176, or 25 per cent of the aggregate salaries of the fifth class of these officers in London. The petitioners asked that they themselves might have the power of increasing that which they paid to these officers. He would not weary the House with details, but he thought he had said enough to show that the subject was one calling for inquiry; and he hoped the Government would be prepared to do something to remove the discontent which prevailed in the service. It was not creditable to them, when their revenue was in such a flourishing state, to treat the men who collected it harshly and parsimoniously. Any merchant who found his business thriving in such a manner would be ashamed to pay his clerks not a single penny more than he did the previous year. But whatever might be the increase of the public revenue, whatever the prosperity of the country, or the increase of rents and in the price of provisions, these officers' salaries were stationary, and their prospect of promotion diminished. He begged leave to move the appointment of the Committee.

Mr. Alderman ROSE seconded the Motion. He said that many of his constituents were interested in this question. After the statement made last night, it would be but fair that the Government should take the subject into their favourable consideration. He did not mean to say that it was a right principle that salaries should fluctuate with the prosperity or adversity of the country, but after a series of years of prosperity such as they had heard of last night they ought not to allow the contrast between the flourishing state of the revenue and the condition of the officers of this department to remain so marked as it was at present. The state of the out-door officers of the Customs remained nominally unchanged, but practically had very greatly deteriorated. These officers were men of character, and intrusted with large amounts of property; and they ought to be in a position, not of dissatisfaction, but of content, and be fairly paid for their labour. It ought not to be forgotten that the introduction of improvements and the rapid advance of economical science and business arrangement since the times when these men came into the service had greatly increased the work, while house rent, provisions, and all other necessaries of life were much dearer; and that the rate of wages, compared with what it was ten years ago, was more than doubled. He thought a very fair case had been made out for inquiry.

Amendment proposed,

To leave out from the word "That" to the end of the question, in order to add the words "a Select Committee be appointed to inquire into the grievances referred to in the Petition of the Mayor, Merchants, Shipowners, and Commercial Traders of Liverpool, which was presented on the 20th day of March last, with reference to the Out-door Officers of Customs,"—(*Mr. Hennessy,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BAINES said, he had a petition intrusted to him, which he had been unable to present from merchants connected with the inland bonding port of Leeds, confirming the statements made in the petition referred to by the hon. Member for the King's County (Mr. Hennessy) and praying for inquiry into the salaries and for more liberal treatment of these officers. The petition stated most distinctly that their salaries were not adequate to the decent and comfortable maintenance of themselves and families; indeed, they were so small as to present grievous temptations to departure from honesty in the discharge of their duties. He supported the Motion.

MR. HENRY BERKELEY said, that speaking for the merchants of Bristol he considered these public officers a very hard-worked class. They were ill-paid, yet put in places of great trust, and were often, therefore, placed in circumstances of great temptation. A case had been made out fairly calling for the attention of the Government, and he thought if the Motion were pressed to a division the Government might be induced to give some pledge that the condition of this deserving body of men would be improved.

MR. CAVE said, that he had a petition from Shoreham, which he had been unable to present, in which it was stated that it was impossible merchants and traders could feel entire confidence that such responsible duties could be honestly discharged while great temptations were placed in the way of officers who were most inadequately remunerated for their services. They all knew that in other countries the dishonesty of Government *employés* was often traceable to the inadequacy of their pay; they imagined that at home that temptation was wanting, and that those employed by the Government were not obliged to plead the smallness of their salaries as an excuse for dereliction of their duties. The grievances alleged in this case, therefore, called for inquiry.

MR. CLAY said, that he had taken great interest in this question, and been in long and frequent communication with the Treasury in regard to it. He should be wanting in his duty if he did not give his testimony to the very minute, careful, and conscientious attention which had been given to the subject by the Chancellor of the Exchequer and the Secretary of the Treasury. So conscientious had been the inquiry by the Chancellor of the Exchequer that he should advise a man who had a good case to take it to that right hon. Gentleman and if he had a bad one to take it to somebody else. The hon. Gentleman (Mr. Hennessy) had omitted in his speech to mention a great boon which had been given to this branch of the service—namely, that of throwing open the whole of the Treasury patronage of the higher grades to the Customs themselves. He, however, was free to admit that that boon had not reached the men who were most aggrieved by the amalgamation of 1860—namely, those who had reached, or nearly reached, the top of their classes, who found themselves subject to a new classification, and instead of their reasonable expectation of immediate promotion, found their prospects of it so far removed, as almost to destroy hope of attaining it. The reason of the boon he had mentioned being useless to these men was this—the practice of the Customs was to give promotion either by selection or by competitive examination. Selection practically meant favouritism; and the class of old officers who were most aggrieved would probably make themselves no favourites by dwelling upon their grievances. But whatever chance of promotion they might have by selection, they had still less by competition, a system which should only apply to entrance into the service. It was not to be expected that these old men—although thoroughly good officers, because they possessed experience, and therefore had those very qualities of which a preliminary examination was only the imperfect test — would be up to the mark in general education easily reached by young men fresh from the instructions of their preceptors. He had pressed on the Treasury that a part of the Customs patronage should be given to seniority, coupled with competence and good conduct, but that that system should merely continue until such time as the claims of the sufferers by the amalgamation had been satisfied. He certainly thought that the right hon. Gentleman had adopted his views on this question; but whether they were in accordance with the opinions of the Customs authorities he was not aware; they had, however, been in no way carried out. After looking carefully into the promotions which had been since made, he found that very few of them had been given to the officers who had most suffered by the amalgamation which had taken place. He believed if his suggestion had been adopted, they would not have heard of the Motion of his hon. Friend, and the agitation would have ceased—at any rate, for a considerable time. He added the last words because he believed the day must come when the Government would have to entertain the very much larger question of increasing the salaries of all their public servants in the lower grades. He should, perhaps, not be wrong in saying in all grades except the highest, the social station and influence of which might be considered as part of the remuneration for the service rendered. He would not say that this question of an increase of salary should not be entertained by the Government, but it was the duty of the guardians of the public purse to resist as long as it was just and fair to do so an augmentation so considerable of the fixed burdens of the country, of which however he had no fear, when the national wealth was increasing by at least one hundred millions annually. He should not, therefore, be surprised if the Government resisted the Motion of his hon. Friend. Those who like himself supported it should do so with their eyes open, and recollect that this was only the first step to a very much larger inquiry regarding other officers who might be shown to be no less sufferers, and required no less consideration than those whose claims were now brought before the House.

Mr. HORSFALL said, he had been prevented from presenting a petition from Liverpool in favour of the Motion. He should deeply regret if Her Majesty's Government should resist the appointment of this Committee. He would not say that these officers were either underpaid or overpaid, but it was well known that there was a feeling of dissatisfaction among them, and if the appointment of this Committee would remove that feeling Her Majesty's Government would do well to appoint it. He regretted that his hon. Friend had not extended his Motion, because it was not in the out-door department alone in which dissatisfaction existed, but also to a great extent in the indoor department, and if a Committee were appointed to inquire into the one class, that inquiry should be followed by another into the other class.

The CHANCELLOR of the EXCHEQUER said, it would not, at any rate, be the fault of his hon. Friend who had just sat down and the hon. Member for Hull (Mr. Clay) if the House were not enabled to understand the real nature and effect of the Motion before them. In the case of public officers who were enabled to allege that in their reasonable expectations, grounded upon the rules of public service existing when they entered that service, they had been disappointed through the Acts of the Government there was, he admitted, a grievance, and it was a matter in which it was the duty of the Government to render an account of their proceedings to the House, and it would be perfectly within the rules of prudence to risk an inquiry by a Committee. That was a view of the question comparatively narrow, and it was upon this view that his hon. Friend, judging by his arguments, was about to support the Motion. On this part of the question he should say a word by-and-by. The Motion before the House was of importance, not because the representatives of several of the ports of the country had risen in their places to speak in favour of it, touching as it did directly and indirectly the especial interests of their constituencies, adverse to that of the country at large. [Mr. Hennessy: No, no!] It was not because several Gentlemen representing that class of constituents had given their opinions in favour of this Motion that the hon. Member was entitled to say that he hoped Her Majesty's Government would not resist this Motion. He thanked his hon. Friend the Member for Hull for declaring the true effect of this Motion. It was not a question relating merely to a particular case of officers who thought they had been aggrieved by the change of 1860. The question at issue had been fairly and honestly disclosed and ingeniously exhibited to the public view by the hon. Member for Hull and by the hon. Member for Liverpool, and it was, whether that House, composed of representatives of the public, was prepared to hear one by one all classes of persons employed in the public service, who should come forward as general solicitors for an increase of pay and emoluments, and that at the very period when the multitude of competent candidates for admission was far beyond what could be employed in any department. He hoped it would not be thought that he was presuming to dictate to the House if he ventured to point out that to enter upon that course would be a proceeding full of danger. If there was a duty that belonged to the executive Government, it was that it should be held responsible for the regulation and the pay of the public servants; and he was convinced that the House of Commons would at all times be reluctant, as it ever had been, to take that particular duty out of the hands of the executive Government. He knew nothing that would tend so much to the disorganization of the public service, or anything which in its results would do more to lower the character of that great Assembly, than such a step. He ventured to say that the hon. Gentleman who made the Motion did not go to the root of the matter, but adopted the vague and general allegation of the petition which he read, and stated that the Treasury had simply dealt with certain minor grievances and had left the major ones alone; and the hon. Gentleman ingeniously illustrated that proposition by a reference to the topcoats. The major grievances were two—one of which was not at all comprehended by the hon. Gentleman, and the other he conveniently passed over, taking no notice of it whatever. The case was this. There were several minor concessions made by the Treasury Minute of 1864. It was perfectly true that though there had been a difference of opinion about it between the period of 1860 and 1864, the Commissioners of Customs reported that with regard to certain classes of officers they had suffered with respect to their chances of promotion. He admitted that that was a very fair subject for consideration, and he thought, with regard to the promotion of public servants, that where there was an absence of misconduct, and where there was no incompetency, the Government could not justly estimate the position of the public servants if they neglected their prospects of promotion. Consequently an injury to prospects of promotion was an injury to position, which might be fairly described as a grievance. The two principal grievances complained of were the existence of day pay, and the injury done to the prospects of promotion. With regard to the day pay, the hon. Gentleman (Mr. Hennessy) had been answered upon that point by the hon. Member for Hull. It was shown that the hon. Gentleman did not understand the significance of the arrangement which was made, and by which a fixed allowance had been given to this class of officers after the expiration of a limited time in lieu of the day pay they formerly enjoyed. With regard to the prospects of promotion, how did that matter stand? The Government had endeavoured to open to this class of officers generally, not only equal, but superior prospects of promotion to what they possessed prior to 1860. The out-door officers could now be promoted to the class of examining officers. As his hon. Friend was aware, this had made a great improvement in the position of those officers. He had not the least hesitation in saying that they had not limited themselves to meeting a grievance, but had endeavoured to put these officers in the best position they possibly could compatibly with the interests of the public service. Here he might remark that the hon. Gentleman had given expression to an opinion which as a general rule he was perfectly willing to endorse. The hon. Member stated that he was a great advocate for competitive examination, but that such examination ought to be limited to the first entrance into the public service. The opinion was one which he himself entertained, but he was bound to say there was a distinction between manual or mechanical labour, and intellectual labour, and it would not therefore be safe to put an out-door officer, whose duties were purely manual and mechanical, to attain the rank of an examining officer whose duties were strictly intellectual without first of all passing the ordeal of an examination, because in such a change he might fairly be regarded in the same light as an officer but newly entering the public service. The case was one not of ordinary promotion, but of transfer from one Department of the public service to another of altogether a different and much higher character. His hon. Friend said that he had been in favour of retaining the principle of seniority in that kind of promotion. On the one side there were the advocates for the retention of that principle; while, on the other, were those officers who were responsible for the discipline of the Department, who were of opinion that the principle of seniority was totally inapplicable to promotion in cases of this kind. The Treasury had, he believed, only done rightly in following the opinion entertained by the responsible heads of the Department. Under those circumstances, a very short experience would show whether the older officers would or would not be able to qualify themselves to take the benefit of the promotion. On this subject, however, they had had no Report, and he was bound to say that, though they did hope that those officers might he able fully to avail themselves of their chances of promotion, they could not consent to introduce into the administration of the service an inferior principle at the hazard of damage to the efficiency of the service, and in the teeth of the opinions of gentlemen in whose judgment they placed deserved confidence, and who were responsible for the due regulation of their Department. His hon. Friend said the hardship had arisen because those persons had not a fair share of promotion, but this minute having been passed in April last the question had not yet been before the Treasury. The Treasury had not yet received a report from the Customs on the subject, but if it were proved that those gentlemen had not had their fair share of promotion, and were consequently sufferers from the alteration of 1860, he was quite willing to acknowledge that they were bound to make them compensation. The subject was at that very moment under consideration with reference to another class—the indoor officers. He must, however, say that because our revenue was now collected at a smaller expense than formerly it could not for that reason be inferred that our officers were worse paid. They were in reality better paid, and the decrease in the cost of collecting the revenue arose from our having simplified our forms and abandoned certain Customs duties which, though entailing a considerable cost for collection, made but little return to the Treasury. He was also willing to admit that if the likelihood of promotion were diminished the Government were bound to make some satisfaction. They ought not, however, to be asked to make that satisfaction by introducing into the public service ineffective persons when the satisfaction could be made by appropriating a certain grant of money adapted to the circumstances of the cases as they might arise. He was bound to say that there was also another point mentioned by the hon. Gentleman which had not previously been brought under his notice, and which called for some attention on the part of the Government. The hon. Gentleman had quoted an extract from the Report of the Commissioners of the Customs, stating that in certain cases the hours of the officers connected with the water-side and landing departments had been lengthened without those officers receiving any increase of pay. He would not say that he could not regard that as a grievance, because the contract which the men were bound by was for the service of the man and did not specify any particular number of hours. Looking at the state of things and the condition of the labour-market, he believed that as far as that statement was correct it was deserving of attention on the part of the Government. He was, however, assured on the best authority that it was only in rare and exceptional cases that any complaint of this nature could be made; but he would undertake that examination should be instituted into the matter. Those were the only points raised in the discussion which, in his opinion, could be at all described as grievances. He would, however, call the attention of the House to the fact that the Committee asked for by the hon. Member was really a Committee for the purpose of considering a wholesale augmentation of the emoluments of one large branch of the public service, and those who supported the Motion had frankly informed the House that if they granted it with respect to that department they must also grant it in connection with every department of the public service. It could not by any possibility stop at this point. It would pass from the out-door officers to the in-door officers, from the Customs to the Excise, from the Excise to the Post Office; nor did he know in what manner its operation after its commencement could be stopped. He believed, if they gave encouragement to the principle, they would find themselves entangled in the re-consideration of the emoluments of all departments of the public service, whether civil, naval, or military. He was sure that no House of Commons—whether dying or just born—whether about to meet its constituents or fresh from meeting them—would entangle itself in a principle so false with consequences so mischievous. The cases deserving inquiry should be investigated in a fair and equitable spirit, but as the proposition of the hon. Member meant something much wider and of a different character, he hoped the House would reject it.

The O'DONOGHUE said, he wished to state that he also had been prevented by the forms of the House from presenting that evening a petition from the merchants and traders of Tralee in favour of the Motion.

Mr. LYALL said, he wished to point out the great inequalities which existed in the remuneration of officers at the outports. At Whitehaven, where everything was getting very dear, the officers received lower remuneration than was granted in an adjoining town. Whether these had arisen from past arrangements or not, they ought not to be allowed to remain. It was impossible for merchants and shipowners who came in contact with these officers not to sympathize with them. If the Government should not listen to their complaints it was the duty of Members to urge attention to them.

Mr. GOSCHEN appealed to the hon. Member for the King's County whether he did not think that he had got from the Chancellor of the Exchequer all that he wanted. The Chancellor of the Exchequer had promised to look into the complaint, and to remedy any grievances which he might find to exist. It must be remembered that two things were involved—an increase of pay and compensation for loss of promotion. It would be hard if, by the non-success of this Motion as to increase of pay—with regard to which it would probably fail—that the officers of Customs should be deprived of compensation for loss of promotion. The right hon. Gentleman had admitted the grievance, and had promised to consider it. Under those circumstances, it would be the wiser course for the hon. Member for the King's County to withdraw the Motion, and to reserve to himself free action for the future in case he should think that the Chancellor of the Exchequer did not properly redeem his pledge.

Mr. DUNLOP said, he had such confidence in the Chancellor of the Exchequer that he would have preferred that this Motion should not have been brought forward; but, it having been brought forward, he felt it due to an excellent class of men to express his concurrence in the statements that had been made of the hardships of their case. This was also the opinion of influential inhabitants at Greenock.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided* :—Ayes 80; Noes 69: Majority 11.

Question again proposed, "That Mr. Speaker do now leave the Chair."

SPIRIT DUTIES IN IRELAND.

MOTION FOR A SELECT COMMITTEE.

Mr. POLLARD-URQUHART said, he rose to move for a Select Committee to inquire into the operation of the augmented Spirit Duties in Ireland. He had said he had been a great admirer of the financial abilities of the Chancellor of the Exchequer, and he hoped the right hon. Gentleman would gladly assent to the appointment of this Committee, as it would enable him to give his reasons for pursuing an exactly contrary financial policy in Ireland to that which he had pursued in England. The whole merit of his policy in England had been to diminish and repeal every duty which in any way restricted the consumption of the people, which restrained production, or diminished employment. In Ireland he had adopted an exactly contrary policy. He had augmented a tax which had had the effect of restricting the consumption and enjoyment of the people, and thrown many people out of employment. Ample evidence to that effect had been elicited before the Committee on Irish Taxation. One witness stated that the consumption of spirits had declined from 8,000,000 gallons in 1852 to 5,000,000 gallons in 1862; another, that the number of distillers had declined from 75 to 19; another, that the increased tax on Irish spirit had acted prejudicially upon agriculture generally, that the farmer and the labourer alike had suffered. Colonel Knox Gore stated that the effect of the increased duty was to limit the extent of cultivation; and the late Mr. Senior had declared that two-thirds of the Irish distilling trade had been ruined by recent legislation. The morals of the people had not improved, and illicit distillation had increased. And it should be borne in mind that all this took place at a time when Ireland was suffering from the effects of a series of bad harvests—a time when the circumstances of the country called for a reduction, not for an increase of taxation. Crowds of people were thrown out of employment, the labour market had been overcharged, and wages proportionately reduced. The right hon. Gentleman could not therefore be surprised that a bitter feeling was evolved by the increase of direct and indirect taxation in Ireland—

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at half after Seven o'clock, till Monday next.

HOUSE OF LORDS,

Monday, May 1, 1865.

MINUTES.]—Public Bills — *Second Reading* —Common Law Courts (Fees)* (25); Metropolitan Main Drainage Extension* (40); Qualification for Offices Abolition (46), *negatived.*
Report—Courts of Justice Concentration (Site)* (59).

UNITED STATES OF AMERICA—ASSASSINATION OF PRESIDENT LINCOLN.

ADDRESS TO HER MAJESTY.

Earl RUSSELL: My Lords I rise to ask your Lordships to address Her Majesty, praying Her Majesty that in any communications She may make to the Government of the United States expressing her abhorrence and regret at the great crime which has been committed in the murder of the President of that country, Her Majesty will at the same time express the sorrow and indignation felt by this House at that atrocious deed. In this case I am sure your Lordships will feel entire sympathy with Her Majesty, who has instructed me already to express to the Government of the United States the shock which She felt when the intelligence reached this country, and her abhorrence of the deep and horrible crime which has been perpetrated, and her sympathy with the Government and people of the United States. Her Majesty has also been pleased to write a private letter to Mrs. Lincoln, expressive of sympathy with that lady in her great and sudden bereavement. I think that your Lordships will agree with me that in modern times there has hardly been a crime committed so abhorrent to the feelings of every civilized person as the one I am now referring to. Mr. Lincoln had been first elected President of that great and united Republic; and after the secession of a part of the States, he was re-elected to the same high position by the large majority of the people remaining faithful to the Government of the United States. He was in the discharge of the duties of his office, having borne his faculties meekly, at the moment when an assassin attacked him at the theatre, whither he had gone to please the people of Washington. My Lords, there are circumstances connected with this crime which, I think, aggravate its atrocity. President Lincoln was a man who, though not conspicuous before his election, had since displayed a character of so much integrity, so much sincerity and straightforwardness, and at the same time of so much kindness, that if any one could have been able to alleviate the pain and animosities which prevailed during the period of civil war, I believe that President Lincoln was that person. It was remarked of President Lincoln that he always felt disinclined to adopt harsh measures; and I am told that the commanders of his armies often complained that when they had passed a sentence which they thought no more than just the President was always disposed to temper its severity. Such a man this particular epoch required. The conduct of the armies of the United States was intrusted to other hands, and on the commanders fell the responsibility of leading the armies in the field to victory. They had been successful against those they had had to contend with; and the moment had come when, undoubtedly, the responsibilities of President Lincoln were greatly increased by their success. But, though it was not for him to lead the armies, it would have been his to temper the pride of victory, to assuage the misfortunes of his adversaries, and especially to show, as he was well qualified to show, that high respect for that valour on the opposite side which has been so conspicuously displayed. It was to be hoped that by such qualities, when the conflict of arms was over, the task of conciliation might have been begun, and President Lincoln would have an authority which no one else could have had to temper that exasperation which always arises in the course of civil strife. Upon another question the United States and the Confederates who have lately been in arms will have a most difficult task to perform. I allude to the question of slavery, which some have always maintained to have been the cause of the civil war. At the beginning the House will remember that President Lincoln declared that he had no right by the Constitution to interfere with slavery. At a later period he made a communication to the Commander-in-Chief of the United States forces in which he proposed that in certain States the slaves should be entirely freed. But at a later period he proposed—what he was constitutionally qualified to propose—that there should be an alteration in the Constitution of the United States, by which compulsory labour should hereafter be forbidden. Many persons were eager for the immediate abolition of slavery. I remember that Lord Macaulay once declared that it would have been a great blessing if the penal laws against the Roman Catholics had been abolished from the time of Sir Robert Walpole, though Sir Robert Walpole would have been mad to propose a measure for that purpose. So it was with regard to President Lincoln. Whatever may be the horror of slavery, I believe he was perfectly justified in delaying the time when that great alteration of the United States law should take place. But, whatever we may think on these subjects, we must all deeply deplore that the death of President Lincoln has deprived the United States of a man, a leader on this subject, who by his temper was qualified to propose such a measure as might have made this great change acceptable to those before opposed to it, and might have preserved the peace of the great Republic of America while undergoing that entire new organization which would be necessary under such circumstances. My Lords, I think we must all feel both sympathy with the United States in this great affliction, and also a hope that he who now, according to the American Constitution, succeeds to the power of the late President, may be able both on the one subject and on the other—both in respect to mercy and leniency towards the conquered, and also with regard to the measures to be adopted for the new organization which the abolition of slavery will render requisite—we must all hope that the new President may succeed in overcoming all difficulties, and in restoring the Republic to its pristine tranquillity. I had some time ago, at the commencement of this contest, occasion to say that I did not believe that the great Republic of America would perish in this war, and the noble Lord at the head of the Government had lately occasion to disclaim on the part of the Government of this country any feeling of envy at the greatness and prosperity of the United States. The course which Her Majesty's Government have had to pursue during this civil war has been one of great anxiety. Difficulties have occurred to us, and difficulties have also occurred to the Government of the United States, in maintaining the peaceful relations between the two countries; but those difficulties have always been treated with temper and moderation both on this side and the other side of the Atlantic. I trust that that temper and moderation may continue; and I can assure this House that, as we have always been guided by the wish that the American Government and the American people should settle for themselves the conflict of arms without any interference of ours, so likewise during the attempt that will now be made to restore peace and tranquillity to America, we shall equally refrain from any kind of interference or intervention, though we trust that the efforts to be made for that purpose will be successful, and that the great Republic of America will always flourish and enjoy the freedom it has hitherto enjoyed. I have nothing, of course, to say with regard to the successor of Mr. Lincoln. Time must show how far he is able to conduct the difficult matters which will come under his consideration with the requisite wisdom. All I can say is that, in the presence of the great crime which has just been committed, and of the great calamity which has fallen on the American nation, the Crown, the Parliament, and the people of this country do feel the deepest sympathy for the Government and people of the United States; for, owing to the nature of the relations between the two nations, the misfortunes of the United States affect us more than the misfortunes of any other country on the face of the globe. The noble Earl concluded by moving—

"That an humble Address be presented to Her Majesty to convey to Her Majesty the expression of the deep Sorrow and Indignation with which this House has learned the Assassination of The President of the United States of America, and to pray Her Majesty that in communicating Her own Sentiments on this deplorable Event to the Government of the United States, Her Majesty will also be graciously pleased to express on the part of this House their Abhorrence of the Crime and their sympathy with the Government and People of the United States."—(*The Earl Russell.*)

THE EARL OF DERBY: My Lords, when, upon the last occasion of our meeting, the noble Earl opposite announced his intention of bringing forward the Motion he has now submitted to the House, I ventured to express my hope that the Government had well considered the form of the Motion they were going to make, so that there might be nothing in the form which would in the slightest degree interfere with the unanimity with which it was desirable the House should accept it. I confess, my Lords, it would have been more satisfactory to me if the noble Earl had entered somewhat upon the consideration of the question, and had informed your Lordships upon what grounds he proposed so unusual a course—though arising, I admit, out of unusual, if not unprecedented, circumstances—as that of addressing the Crown, and praying Her Majesty to convey to a foreign Government the sentiments of Parliament with regard to the event which has taken place. For myself, I confess that I am rather of the opinion that the more convenient and—I will not say the more usual but—the more regular course would have been to have simply to move a Resolution of this, in conjunction with the other House of Parliament, expressing those feelings which it is proposed by the Motion to place in the form of an Address to the Crown. But I am so extremely desirous that there should not appear to be the slightest difference of opinion at this moment that I cannot hesitate to give my assent to the form of Motion proposed by the Government, whatever doubt I may entertain that the form is the most convenient which might have been adopted. In joining in this Address—that is to say, in expressing our sorrow and indignation at the atrocious crime by which the United States have been deprived of their Chief Magistrate—your Lordships will only follow, though the event has been known so short a time, the universal feeling of sympathy which has been expressed from one end of this kingdom to the other. And if there be in the United States any persons who, misled by our having abstained from expressing any opinion as to the conflict now going on, or even from expressing the opinion we may have formed upon the merits of the two great contending parties—if there be any persons who believe that there is a generally unfriendly feeling in this country towards the citizens of the United States, I think they could hardly have had a more complete refutation of that opinion, conveyed in what I hope will be the unanimous declaration of Parliament, following the declarations which Her Majesty has been pleased to make both publicly and privately to the American Minister as well as to the widow of President Lincoln, and, again, following the voluntary and spontaneous expression of opinion which has already proceeded from almost all the great towns and communities of this country. Whatever other misfortunes may have attended this atrocious crime, I hope that, at least, one good effect may have resulted from it—namely, that the manner in which the news has been received in this country will satisfy the people of the United States that Her Majesty's subjects, one and all, deeply condemn the crime which has been committed, and deeply sympathize with the people of the United States in their feelings of horror at the assassination of their Chief Magistrate. My Lords, for the crime itself there is no palliation whatever to be offered. There may be differences of opinion as to the merits of the two parties who are contending, the one for empire and the other for independence, in the United States—I follow the words of the noble Earl opposite—but there is, there can be, no difference of opinion upon this point—that the holiest and the purest of all causes is desecrated and disgraced when an attempt is made to promote it by measures so infamous as this. If it were possible to believe that the Confederate authorities encouraged, sympathized with, or even did not express their abhorrence of this crime, I should say they had committed that which was worse than a crime—a gross blunder; because, in the face of the civilized world, a cause which required or submitted to be promoted by the crime of assassination, would alienate all sympathy and kindly feeling on the part of those who might otherwise be well disposed towards it. But I am perfectly satisfied—I am as well satisfied as I can be of anything—that this detestable act of assassination is so entirely alien to the whole spirit in which the South have conducted this war, is so alien to the courageous, manly, and at the same time forbearing course which they have adopted in the struggle for everything that is dear to them—that I am convinced that, apart from the error of judgment which would be involved in sanctioning such a crime, they cannot have been guilty of so great a blunder, and cannot fail to express for it their detestation and to feel at the same time that no step could have been taken which could have inflicted so great an injury on their own cause. I will not venture to follow the noble Earl even into the slight discussion which he has originated with regard to the internal politics of the United States. I will not discuss the difficulty which at the present moment is felt in the United States — the difficulty caused by slavery. I will not express any opinion as to the question whether the late defeats, serious as they are, and apparently fatal to the cause of the South, have produced, or are likely to lead to, an early termination of the war. In whatever way the war may be terminated, it must be the desire of every friend of humanity that it should be terminated soon and without further and unnecessary effusion of blood. But I join entirely with the noble Earl not only in lamenting the loss of a man, who certainly had conducted the affairs of a great nation, under circumstances of great difficulty, with singular moderation and prudence, and who, I believe, was bent upon trying to the utmost a system as conciliatory as was consistent with the prosecution of the war in which the country was engaged ; but also, I agree that the death of such a man, in such a manner, and at such a time, is a subject not only for deep regret and for abhorrence of the crime by which he was deprived of life, but that it is also a serious misfortune in the present condition of affairs, for the State over which he exercised authority and for the prospects of an amicable settlement. I can only hope that, notwithstanding some ominous expressions which have already fallen from him, the successor who has so unexpectedly been elevated to the high position filled by Mr. Lincoln may be disposed and enabled to follow the wise and conciliatory course which, I believe, in the prospect of success, Mr. Lincoln had decided upon adopting. I am not insensible to the danger that public exasperation arising out of this act may force upon the Government a less conciliatory and more violent course than that which Mr. Lincoln seemed to have marked out for himself; but I am satisfied that the adoption of such a course can only further protract the horrors of this civil war, adding to the other motives of the South the most powerful of all motives, the motive of despair—leading the South to fight out this question to the bitter end—so that while the one side is exasperated into desire to exterminate its opponents, they, in their despair, will be ready to submit to extermination rather than accept the unreasonable terms of the North. Thus in the act itself—in the fact that the President of so great a country being so suddenly deprived of life, and in the circumstances under which this crime has been committed, and in the fatal influences which it may exercise upon the returning prospects of peace in the United States—upon all these grounds, I say, we must find the deepest cause for lamenting the occurrence which has taken place ; and I am quite sure that, independently of all political motives, but not saying that political motives do not enter into our views, I am expressing the universal feeling of this House and of the country when I say that we view with horror, with detestation, and with indignation the atrocious crime by which the President of the United States has been deprived of life.

VISCOUNT STRATFORD DE REDCLIFFE : My Lords, in consideration of my residence in the United States of America, at a somewhat distant period it is true, but, nevertheless, in the character of a British Representative, I hope I may be allowed to offer a few words in addition to those which have been so ably and justly expressed on both sides of the House. I cannot pretend to make any addition of real importance to what has been said already with so much effect, and it is therefore only for the gratification of a private feeling and for the discharge, as it were, of a personal debt that I venture to claim your Lordships' indulgence for a very few moments. The crime of assassination is so utterly revolting to the hearts and feelings of Englishmen that we cannot wonder at the cry of horror and indignation with which the death of President Lincoln has been received in this country throughout the breadth and length of the land. The circumstances under which that atrocious crime was perpetrated could not but heighten the abhorrence with which the act itself is to be viewed. Whether we look to the private affliction caused by its commission, or to the public consequences which may flow from the catastrophe, our compassion on the one side, and our anxiety on the other, is naturally roused to the highest degree. It is not in my province to pronounce any kind of judgment on the qualities, the conduct, or the intentions of the late President of the United States. It would be unkind and unworthy not to give him credit for the best claims on our esteem and regret. But when I figure to myself the Chief Magistrate, the temporary Sovereign of a great nation, struck down by a sudden and dastardly blow in the presence of his astounded family, in the first moments of relaxation from the toils and severe anxieties of a great civil contest, and in the midst of those who gave him their admiring acclamations, every thought is lost in one overpowering sentiment of horror and disgust. At the time of my personal acquaintance with America the relations between the different portions of the Union were such as to promise a long series of peaceful and prosperous years. The dreadful rupture which took place on the election of the late lamented President could hardly have been foreseen at that early period by the most sagacious and far-sighted politician. This country, as we all know, was seized with unfeigned astonishment and deep concern at the unexpected event; and I must do Her Majesty's Government the justice to say that during the whole course of the war the balance of a strict neutrality has been maintained with the most evenhanded and resolute sense of duty. I am slow to believe that the people of the United States entertain towards this country the sentiments of mistrust and animosity which have been sometimes attributed to them. Of this I feel sure, that no such hostile sentiments are entertained by the people of this country towards them; and, were it otherwise, I am persuaded that while on this side every unpleasant feeling unaffectedly merges in sympathy for the late bereavement at Washington, so, on the other, the expression of that sympathy, pure and deep as it is, cannot fail to obliterate any impressions unfavourable to us which may have arisen in any portion of the American population. The expression of our sympathy is not confined to numerous associations in every part of the country. It now assumes the more solemn character of a Parliamentary condolence, confirmed by the unanimous consent of both Houses and crowned by the gracious participation of a Sovereign whose sad acquaintance with sorrow is the strongest pledge of her sincerity. It is not for me to hazard any conjecture as to the cause of that atrocious crime which we all concur in lamenting, or the quarter whence it proceeded. But it is next to impossible that the gallant and highminded leaders of the one conflicting party could have descended so low as to support their imperilled cause by an assassination as base as it is execrable, and equally hard to conceive that those of the triumphant Union should entertain a suspicion at once so improbable and so unlike the magnanimity they are called upon to display. It is rather to be hoped and expected that the terrible calamity, which has occurred with such awful suddenness, will sober the agitated passions on both sides, and render acceptable to all the expressions of sympathy about to be transmitted from this country to our kindred beyond the Atlantic.

Motion *agreed to, Nemine Dissentiente.*

Ordered, That the said Address be presented to Her Majesty by the Lords with White Staves.

QUALIFICATION FOR OFFICES ABOLITION BILL—(No. 46.)

SECOND READING.

Order of the Day for the Second Reading read.

Petitions of Committee of Deputies of Protestant Dissenters &c of London and Neighbourhood; of Committee of Congregational Union of England and Wales; of Baptist Union of Great Britain and Ireland—in favour of the Bill, *presented.*

LORD HOUGHTON, in rising to move that the Bill be now read a second time, said, that in taking the liberty of moving the second reading of a measure which had been several times under their Lordships' notice, he could assure them that he did so with the fullest confidence that the Bill was an important one, and with a certain degree of hope that their Lordships would pass it. He should be always unwilling to trouble their Lordships by introducing a measure in which he did not feel sincerely interested, or one which it was certain their Lordships would reject—he was far from desirous at any time to lead a forlorn hope in that House, or to bring before their Lordships any measure in regard to which he had reason to believe that they entertained any distinct and decided difference of opinion with the other House of Parliament. But although this Bill on several previous occasions had been before their Lordships, it was a measure of such simple justice and common sense that he thought the time must come when it would force itself upon their Lordships' approval. It was the object of the Bill to abolish a certain declaration which was adopted in the place of the former oaths when the Test and Corporation Acts were repealed in 1828. It was very intelligible that when those Acts were repealed a desire should be expressed for the substitution of some declaration on the part of those who then became eligible to certain offices of a determination not to injure or weaken the Protestant Church by law established, and that this declaration should be assented to by those who, although they had separated from the Church, had yet no wish to injure that great Establishment; but he thought their Lordships would, upon consideration, be of opinion that the retention of this declaration was nothing less than a continuation of the same spirit which was condemned by the abolition of the Test and Corporation Acts. It was natural that such a declaration should recognize that theory of the absolute coordination of Church and State which had so long held possession of the minds of Englishmen, and by which no one except a member of the Established Church was held worthy of holding any office under the Crown. That prejudice survived the scaffold of Strafford and of Laud; it was protested against at the Revolution of 1688; and it still found an occasional echo in the toast of "Church and King." The declaration now sought to be abolished was placed in the hands of all persons holding municipal office or offices under the Crown. It was a declaration which some of their Lordships, many of whom had held high office under the Crown, must have taken; but it was notorious that many of their Lordships who had thus held office, and very many persons throughout the country, had not made, and never were required to make, this declaration. The difficulty was got rid of by the Indemnity Bill, passed at the end of every Session, by which persons who had failed to take the declaration were relieved from all the pains and penalties which they had thereby incurred. The system, although 100 years old could not be thought claim any merit for its antiquity; and it was a bungling piece of legislation such as did not exist with regard to any other institution of the country. He now asked their Lordships to abolish this declaration, because it was of no use; because it did not carry out a single object which their Lordships desired, and because it was of no benefit whatever to the Church of England. It required that persons should declare that they would not in any degree injure the Church of England as established by law. That was nothing else than requiring these persons to declare that they would not break the law of their country. It was presented equally to Churchmen and to Dissenters. To Churchmen it meant nothing. Of Dissenters there was a large body who had no wish to injure an institution so intimately connected with the history of the country; and if this declaration was presented to them, what could it be but an insult and an irritant? Other Dissenters there were who thought the Church of England was not advantageous to the country, and who would gladly see its legal and regular abolition. To such persons what did the declaration mean? It could not make them feel more friendly towards the Church, nor could it add anything to the protection which the Church enjoyed by law. He remembered hearing a Dissenter to whom the declaration was presented say, "No, I have no love for the Church. But I see no objection to this document, for it only obliges me not to ride down a parson or strike down a Bishop; I will therefore sign it, though I think it is an insult." Their Lordships might, perhaps, object to read the Bill a second time because it came from a source which they disliked; but surely it was inconsistent with that spirit of independence which was the very genius of that House to refuse a reasonable request because they disapproved of those by whom it was preferred. Surely it mattered nothing to their Lordships from whom the Bill came provided their Lordships thought it politic and just. There was very little difference between the present Bill, he might add, and those which had on former occasions been under their Lordships' consideration, except so far as it was affected by the circumstance that it had been subjected to the ordeal of a Select Committee, and that its provisions might therefore be looked upon as having been duly weighed. He saw before him a noble and learned Lord (Lord Chelmsford) who had frequently opposed the change which it was intended by the Bill to introduce, inasmuch as he regarded the declaration in question as constituting a record of the predominance of the Church of England. But what, he should like to know, was the meaning of that argument? The Church of England, as regarded its property, was secured by precisely the same laws as secured the property of the smallest Dissenting chapel. And as to moral predominance, of course that could have no existence in the mind of any person who was a Dissenter. The fact was that the real source of the predominance of the Church lay not in such a declaration, but in the circumstance that she was day by day doing more to conciliate the mass of Dissenters and becoming more deeply rooted in the affections of the people. Finding its endowments utterly inadequate to keep pace with the wants of the population, it had called for the voluntary donations of her members, and it had become the largest voluntary body in the country. On account of the scarcity of clergy, it had been found necessary to admit into holy orders persons who were not so highly educated as used to be the case, and this again had tended to assimilate the Church to dissent in a degree that had never before been known. Their Lordships were now approaching a general election. It would be very difficult to find subjects for discussion at the hustings. All questions regarding freedom of food had been settled, and as to freedom of drink, at least as regarded the malt tax, the position of parties was reversed. Although there remained no questions of any great importance, it was essential to the political well-being of the country that on an appeal to the people the issues taken should be clearly and definitely taken. He would, therefore, ask noble Lords opposite whether they were prepared to go to the hustings with such a miserable link of the old chain of ecclesiastical tyranny hanging round their necks as that with which he now invited them to dispense. He hoped not, and that they would adopt a prudent as well as just course by allowing the Bill to be read a second time.

Moved, That the Bill be now read 2^{a}.—(*Lord Houghton.*)

THE EARL OF DERBY: My Lords, I hope the noble Lord who has moved the second reading of this Bill will not look upon it on the one hand as a mark of disrespect to him, or upon the other hand as a proof that his arguments are invincible, that none of your Lordships have shown a disposition to take part in the discussion. As, however, your Lordships will not, I believe, be found on the present occasion prepared to reverse the decision at which you have upon several previous occasions arrived, I think it will be hardly necessary, before proceeding to a division, to give many reasons why we should not accede to the Motion of the noble Lord. The noble Lord approached the subject as if it had all the charms of novelty, and with a zest which must have been refreshing to those among your Lordships who are somewhat older Members of the House than himself. When he asks whether the maintenance of the declaration which it is proposed to abolish is essential to the protection of the Church of England—or rather of the Establishment—I, for one, candidly admit that to my mind it is not, for that purpose, worth the paper it is written on. Why, therefore, am I opposed to a measure which is introduced for the purpose of doing away with the declaration? I wish the noble Lord to consider under what circumstances, and under whose auspices, this declaration was first introduced. It was introduced at the repeal of the Test and Corporations Act—that great measure of civil and religious liberty, the mention of which is so familiar in the mouth of the noble Lord opposite the Secretary of State for Foreign Affairs, and who considers himself, if not the father, at least the godfather of that measure. The noble Lord takes an especial pride in that measure, as having set the Crown on the civil and religious liberties of this country, as far as the Protestant Dissenters are concerned. I am old enough to recollect the passing of that Bill, to which I also gave my concurrence, though being somewhat junior to the noble Earl, I had not so prominent a position in the party to which we both belonged as he had. But I recollect that the noble Earl, then Lord John Russell, expressed his strong conviction of the importance of passing that measure, and also his conviction, after the most deliberate consideration, that the declaration which it was proposed to introduce was one which no conscientious Dissenter could possibly have the slightest objection to take. He added that he should have considered it inexcusable — or words to that effect — if, upon any such objection, he had attempted to stand in the way of the measure. And Sir Robért Peel, who introduced and carried the Bill, insisted that it would have been impossible to accomplish this object had not that declaration been inserted for the purpose of satisfying the scruples of conscientious Churchmen. The noble Lord says, "You get rid of the declaration every year by the Act of Indemnity;" but he thinks the yearly Act of Indemnity a very clumsy mode of getting out of the difficulty. Well, if these cases are all covered by the Act of Indemnity, there is no practical grievance of which he can complain; and if they are not all covered —and it is plain that all cannot be, because there are some offices with regard to which the declaration is required to be taken before entering upon their duties—there is a definite declaration on the part of the Legislature and the Parliament of the country that the Church of England is a national Church, and is not to be placed on exactly the same footing and level as all the various other sects which divide the people of this country. The noble Lord has reminded us that we are approaching a general election; and forgetting, I suppose, the audience which he was addressing, asked how we should like to go to the hustings, having rejected this measure? My answer is, that we are not going to the hustings, and that, fortunately, we are independent of that *popularis aura* of which he is so fond. I venture to believe that the question of whether this Qualification for Offices Abolition Bill passes or not, will not make a difference of twenty votes in favour of or against any single candidate in any constituency of the United Kingdom. But it is, I think, important to remember — and the noble Lord himself will do well to bear it in mind—that, at the approaching election, a very serious question will be raised—namely, how far it is the intention of future Parliaments to maintain the position and status of the Established Church? For I believe there are those who, by the advocacy of a measure like this, are eager to gain credit with the opponents of that Church, and to take advantage of the event of a general election, of which the noble Lord kindly reminds us, for the purpose of acquiring among their future constituents a certain amount of popularity by saying, "See how ardently and eagerly we supported and pressed forward a Bill which is the first step towards the accomplishment of that end" for which the enemies of the Church are striving. The noble Lord has stated that, in his opinion, the Dissenters are daily becoming more reconciled and more friendly to the Church. I heartily wish that such may be the case; and I fully believe that a very large majority of the respectable Dissenters of this country not only feel no objection to take this declaration, although believing it in their consciences to be unnecessary as far as they are concerned, but would be extremely sorry to see the Establishment brought down from the position which it occupies and from the pre-eminence secured to it by law and still more by the affections of the people. On the other hand, I cannot conceal from myself that there is, if not a numerous, a very busy and energetic body ardently desirous of pulling down the Church piecemeal, and every step which the Legislature adopts in the direction to which their wishes point is hailed as a victory. So far from conciliating them for the future, it only makes them eager for further advances. Every instalment granted will be regarded as extorted by force, not yielded from a wish to conciliate, and it will only be made the stepping-stone to further demands. Not, therefore, because I see in the declaration itself any protection to the Established Church, but because a very significant blow would be struck at the Church by the withdrawal of the authoritative declaration on the part of the Legislature contained in this document as to the pre-eminence of the Church, I take the course—and I believe your Lordships will take the course—on the present occasion which has been taken for several Sessions past. I confess I was surprised at hearing the noble Lord say that he was not disposed to bring before your Lordships' House any measure which he thought opposed itself to the fixed opinions or objections of your Lordships. If there be any indication of fixed opinions or objections it might certainly be found in the fact that for five successive Sessions this identical measure has been rejected in this House by considerable majorities. He says it is a matter of grave importance if on any question the two Houses are hopelessly at variance. Well, I cannot see that the variance on this subject, prominent as it has been for several Sessions, appears to have interfered with the friendly relations between the two Houses. It is one of those measures that the House of Commons habitually passes from sheer indifference or weariness, and which the House of Lords would be very glad to see disposed of likewise from sheer weariness; and I do not see that any material inconvenience arises from their mutual difference of action. But if the noble Lord is so anxious that there should be a cordial agreement on every subject between the House of Lords and the House of Commons, would it not be wise to wait and see what the next House of Commons will do upon this subject? He has reminded us himself of the general election, and if the country should return a House of Commons very friendly to the Church, very adverse to those desiring to overthrow it, and therefore very desirous for the retention of this declaration—in that case, if you now pass this Bill, you will be putting yourselves in opposition to, and not in conformity with, the feeling of the House of Commons. In the very last year of a Parliament which has already sat for more than the usual time, I think it would be a matter of extreme imprudence on slight grounds for your Lordships to act upon an opinion, no doubt conscientiously entertained by the present House of Commons, but which may be in direct opposition to the opinion of their successors. My main reason, however, for opposing the Bill is shortly that, although the declaration in itself may be valueless for the protection of the Church, its abolition by the Legislature will be the strongest hint to the Dissenters that they may expect encouragement — which I hope they will never find in your Lordships' House—for making further aggressions on the integrity of the Established Church. I will, in conclusion, move that the Bill be read a second time that day six months.

Amendment *moved,* to leave out ("now") and insert ("this Day Six Months.")

LORD EBURY said, the noble Earl opposite (the Earl of Derby) seemed to regard the Bill as part of a great scheme of aggression upon the Established Church, although he declared in the same breath that the declaration he was so anxious to retain was not worth the paper it was written on.

THE EARL OF DERBY: Not worth the paper on which it is written for the sake of protecting the Establishment.

LORD EBURY would adopt the correction willingly, though he thought it made little difference in the meaning. As regarded the Test and Corporation Act, the noble Earl had designated the noble Earl (Earl Russell) as the godfather of that Bill; but, in point of fact, he was the person by whom it had been introduced, and therefore he was not only entitled to the credit of being considered its godfather, but to the credit of the absolute paternity of the Bill. He himself was also in the House of Commons at the time, and what occurred was that the Bill having been introduced by Lord John Russell, and the House having declared in its favour by a considerable majority, Sir Robert Peel, always a keen judge of the feeling of Parliament, took the Bill out of the hands of the noble Earl. [Earl RUSSELL here communicated with the noble Lord—who proceeded.] He found that this was not so, and that Earl Russell was entitled to the credit of having carried the measure through. It was rather hard upon his noble Friend and himself—at that time Members of a small minority, and obliged to dress their dishes as best they could so as to make them acceptable to the majority of the House—that any observations with regard to the declaration in question should now be quoted against his noble Friend. And although in some cases Dissenters might not object to the declaration, they had a right, if they thought proper, to regard it as a remnant of the old days of persecution. The noble Earl opposite had said very truly that their Lordships were not going to the hustings. He was sorry they were not, for obviously those who were obliged to present themselves to their constituents were better representatives of the feeling of the country; and the Bill would certainly be passed, because the branch of the Legislature that was elective always passed it. He should be ashamed if the Church to which he belonged rested her claims and privileges on such miserable remnants of protection as the declaration which the Bill sought to remove. He should be ashamed of belonging to that Church if she had no higher title to the position which she occupied; and, on the other hand, he considered the Church bound to show the greatest possible generosity towards the Non-Conformist body of this country.

On Question, That ("now") stand Part of the Motion? Their Lordships *divided:* —Contents 49; Not-Contents 72: Majority 23: — *Resolved* in the *Negative;* and Bill to be read 2^{a} on ("*this Day Six Months.*")

CONTENTS.

Westbury, L. (*L. Chancellor.*)

Cleveland, D.
Devonshire, D.
Somerset, D.
Ailesbury, M.
Albermarle, E.
Clarendon, E.
Cottenham, E.
De Grey, E.
Ducie, E.
Granville, E.
Minto, E.

Russell, E.
Saint Germans, E.
Spencer, E.

Eversley, V.
Sydney, V.

St. David's, Bp.

Abercromby, L.
Belper, L.
Boyle, L. (*E. Cork and Orrery.*)
Camoys, L.
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Cranworth, L.
Dacre, L.
Dartrey, L. (*L. Cremorne.*)
De Tabley, L.
Ebury, L.
Foley, L. [*Teller.*]
Harris, L.
Houghton, L. [*Teller.*]
Hunsdon, L. (*V. Falkland.*)
Llanover, L.
Lyveden, L.
Methuen, L.
Monson, L.
Monteagle of Brandon, L.
Mostyn, L.
Ponsonby, L. (*E. Bessborough.*)
Rivers, L.
Saltersford, L. (*E. Courtown.*)
Seaton, L.
Seymour, L. (*E. St. Maur.*)
Somerhill, L. (*M. Clanricarde.*)
Stanley of Alderley, L.
Stratheden, L.
Sundridge, L. (*D. Argyll.*)
Taunton, L.
Wenlock, L.

NOT-CONTENTS.

Canterbury, Archp.
York, Archp.
Dublin, Archp.

Marlborough, D.
Richmond, D.
Rutland, D.

Bath, M.
Exeter, M.
Tweeddale, M
Westmeath, M.

Bantry, E.
Beauchamp, E.
Belmore, E.
Cadogan, E.
Carnarvon, E.
De La Warr, E.
Derby, E.
Devon, E.
Ellenborough, E.
Erne, E.
Graham, E. (*D. Montrose.*)
Hardwicke, E.
Lucan, E.
Macclesfield, E.
Malmesbury, E.
Morton, E.
Pomfret, E.
Romney, E.
Stanhope, E.
Vane, E.
Verulam, E.

Hawarden, V. [*Teller.*]
Hood, V.
Sidmouth, V.

Gloucester and Bristol, Bp.
Hereford, Bp.
Kilmore, &c., Bp.
Oxford, Bp.
Ripon, Bp.
Rochester, Bp.
Winchester, Bp.

Abinger, L.
Bagot, L.
Berners, L.
Bolton, L.
Chelmsford, L.
Clements, L. (*E. Leitrim.*)
Colchester, L.
Colville of Culross, L. [*Teller.*]
Delamere, L.
De Saumarez, L.
Dunmore, L. (*E. Dunmore.*)
Egerton, L.
Feversham, L.
Gage, L. (*V. Gage.*)
Grinstead, L. (*E. Enniskillen.*)
Heytesbury, L.
Inchiquin, L.
Kenyon, L.
Kingsdown, L.
Lovel and Holland, L. (*E. Egmont.*)
Raglan, L.
Redesdale, L.
Rollo, L.
Saltoun, L.
Sheffield, L. (*E. Sheffield.*)
Sondes, L.
Templemore, L.
Tenterden, L.
Thurlow, L.
Tyrone, L. (*M. Waterford.*)
Wynford, L.

House adjourned at a quarter before Seven o'clock, till To-morrow half past Ten o'clock.

HOUSE OF COMMONS,

Monday, May 1, 1865.

MINUTES.]—Public Bills—*Second Reading*—Partnership Amendment [52]; Waterworks* [112]; Chelsea Bridge Toll Abolition [74].

Referred to Select Committee — Waterworks* [112]; Chelsea Bridge Toll Abolition* [74].

Committee—Bank Notes Issue (*re-comm.*) [75].

Report—Bank Notes Issue (*re-comm.*) [75].

Considered as amended — Lancaster Court of Chancery* [106]; Oxford University (Vinerian Foundation)* [107]; Land Debentures (Ireland)* [121]; Land Debentures* [120]; Sewage Utilization* [105].

Withdrawn—Justices of the Peace Procedure* [23].

THE NATIONAL GALLERY—MR. FRITH'S "DERBY DAY."—QUESTION.

Mr. GREGORY said, he would beg to ask the hon. Member for Huntingdon (Mr. Thomas Baring), as Trustee to the National Gallery, Whether a Picture belonging to the Nation has been sent to Australia, whether the person who sent that Picture had a right to do so; and, if not, what steps the Trustees of the National Gallery are about to take?

Mr. THOMAS BARING, in reply, said, his hon. Friend had no doubt seen in *The Times* newspaper an explanation of this matter by Mr. Gambart. With regard to the Trustees of the National Gallery the simple fact was, Mr. Jacob Bell, who died in 1859, very generously bequeathed certain pictures to the nation, and among them was the "Derby Day" painted by the celebrated artist, Mr. Frith. Before his death, Mr. Bell made an arrangement with Mr. Gambart by which this picture should remain in his possession for a certain term of years for the purpose of exhibition and engraving. At the end of that term in June, 1864, the Trustees of the National Gallery wrote to the executors of the late Mr. Bell, asking them why the picture was not delivered, and the reply was, that Mr. Gambart had said that he had a right to the picture for another year for exhibition, and he had sent it to Australia, but had promised it should return in August. It was very clear that the Trustees of the National Gallery could have no control over the picture until it was delivered to them by the executors, who were the only people with whom the Trustees could communicate. About six weeks ago the whole circumstances of the case were sent to the Treasury and submitted to the Law Officers of the Crown to ascertain what proceedings, if any, should be adopted.

PROCEEDINGS IN CHINA.

QUESTION.

Colonel SYKES said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether further Papers respecting proceedings in China will be laid upon the table of the House; whether the Consul at Amoy has reported his visit to the Taeping Chief at Chang-chow, and with what results; and whether information has reached the Foreign Office of the reported revolt of the Imperialist Troops in the cities of Hang-chow and Chang-chow, with the rumoured connivance of Tsing-kwo-fan, the anti-foreign Minister of State?

Mr. LAYARD replied, that there were no papers of sufficient importance to lay on the table. They were aware of the intention of the Consul at Amoy to visit the Taeping Chief, but his Report on the subject had not yet been received. No information had reached the Foreign Office respecting the reported revolt of the Imperial Troops in the cities referred to by the hon. and gallant Member.

NEWINGTON GREEN AND HORNSEY ROAD.—QUESTION.

Mr. HANBURY said, he would beg to ask the Secretary of State for the Home Department, If his attention has been called to the state of the road lying between Newington Green and Hornsey, and whether he is aware that the duty of keeping in repair this road is a disputed point between the parishes of Hornsey and Islington?

Mr. THOMAS BARING, in reply, said, it was quite true representations had been made as to the state of this road, and the dangers arising to the public from its bad state of repair, and the police had as far as possible diverted the traffic by another way in order to prevent accidents. The repair of the road was a very small matter, costing about £40 per annum, and it was to be hoped that the two parishes concerned would come to some arrangement between themselves to repair the road, and thereby remedy the inconvenience to the public, without the necessity of resorting to legal proceedings.

INDIA—THE SIXTY-FOURTH FOOT.

QUESTION.

General BUCKLEY said, he would beg to ask the Secretary of State for India, Why the detachment of the 64th Foot, consisting of five or six officers and 200 men (who, being part of the Lucknow Garrison, were shut up in the Alum Baugh from October to November, 1857, when they were relieved by Sir Colin Campbell), have been deprived of the second donation batta, which has been received by the rest of the regiment who were in Lucknow? This detachment has received the year's pay, and the second donation batta was first allowed, but has since been refused.

Sir CHARLES WOOD said, in reply, that the service performed by the different portions of the regiment were of a totally different character. One part was shut up in the garrison of Lucknow, and exposed to all the hardships, risks, and dangers which were well known by all, whereas the other detachment to which his hon. and gallant Friend referred was never in Lucknow at all, but in the Alum Baugh, some distance off, and was not exposed to the same hardships. The second donation batta was first allowed under a misapprehension, believing that the detachment had been in the garrison of Lucknow, whereas they had no communication with it, except by spies and deserters, and they were not cut off from communication with the rest of the army, their rear being open to Cawnpore. They were never exposed to serious hardships or privations. The Government of India had expressed a strong opinion upon the subject, and they were not only the judges on the spot of the services rendered, but also the parties by whom the allowance was given.

THE FINANCIAL STATEMENT—TEA.

QUESTION.

Mr. J. B. SMITH said, in reference to the reduction of the Duty on Tea, he would beg to ask Mr. Chancellor of the Exchequer, Whether he will allow a drawback; and whether, if not, he will extend the time when the reduction will come into operation?

The CHANCELLOR of the EXCHEQUER: Sir, with regard to the first question asked by my hon. Friend, whether a drawback will be allowed upon stocks of tea which would have, by some process quite unknown to our usages, to be ascertained as being in the possession of every retail grocer throughout the country, I may say that to allow such a drawback would be entirely foreign to the usage and the practice of Parliament, and I very much doubt, if such drawback were allowed, whether it would be possible for us to proceed with the reduction of the Income Tax by 2*d.* Under these circumstances, I hope that the subject will not be renewed. The time for the reduction of the Tea Duty will be decided according to the pleasure of the House. I propose on Thursday evening next to proceed with a Resolution upon this subject, and supposing it receives the consent of the Committee, the usual course is to report the Resolution to the House on the following evening, and for the reduction of the duty to come into operation the day after. It is, of course, in the power of the House to fix the time when the reduction should come into operation, or to interpose any time they may think proper between the sitting of the Committee, and the reporting the Resolution to the House. My hon. Friend asks me if we will agree to insert in the Resolution some clause providing that the reduction of the duty should come into operation at some distant period. I am sorry to answer my hon. Friend in the negative. If we did, I believe the effect would not be to remedy the inconvenience which I grant may in some instances be felt from the alteration of Customs like this—an inconvenience, too, which I should really be very glad to remedy if I could—but to cause a general paralysis of the trade and revenue in connection with tea. The buyer and the householder would postpone their purchases, the trade would be paralyzed, and the object desired by these gentlemen would not be attained. We, therefore, intend to adhere to the usual course, and to propose that the reduction of the duty shall take immediete effect. I wish now to remedy an omission of which I was guilty the other evening when making my financial statement. That omission related to the Bill for the renewal of the Income Tax, and I should have mentioned that in the discussion on the subject last year my hon. Friend the Member for Buckingham (Mr. Hubbard) pointed out a great defect in the working of what is known as the 133rd, or the Average Clause. By that clause, as it now stands, it may be possible for parties who have made any exceptional gain in any one particular year to exempt those exceptional gains from taxation. We shall propose a clause for curing this anomaly, and for bringing in those gains for the purpose of assessment.

MR. J. B. SMITH said, he wished to know, whether, on a previous occasion, when the duty on tea was reduced, the time had not been extended until July?

THE CHANCELLOR OF THE EXCHEQUER: I believe that I may confidently answer the question in the negative.

ASSASSINATION OF THE PRESIDENT OF THE UNITED STATES.

ADDRESS MOVED.

SIR GEORGE GREY: Sir, I very much regret the unavoidable absence of my noble Friend at the head of the Government, in whose name the notice was given of the Motion which it now devolves upon me to ask the House to agree to. I feel, however, that it is comparatively unimportant by whom the Motion is proposed, because I am confident that the Address to the Crown which I am about to ask the House to agree to is one which will meet with the cordial and unanimous assent of the House. When the news a few days ago of the assassination of the President of the United States, and of the attempted assassination—for I hope we may now confidently expect that it will not have been a successful attempt—of Mr. Seward reached this country, the first impression in the mind of every one was that the intelligence could not be true. It was hoped by every one that persons could not be found capable of committing so atrocious a crime. But when the truth was forced upon us, when we could no longer entertain any doubt as to the correctness of the intelligence, the feeling which succeeded was one of universal sorrow, horror, and indignation. It was felt as if some great calamity had befallen ourselves. In the Civil War, the existence and the long continuance of which we have so sincerely deplored, it is well known that the Government of this country, acting, as I believe, in accordance with the almost unanimous feeling of this country, has maintained a strict and impartial neutrality. But it is notorious, and it could not in a great country like this be otherwise, that different opinions have been entertained by different persons with regard to the question at issue between the Northern and Southern States of America. I believe that the sympathies of the majority of the people of this country have been with the North. [*Cries of* "No, no!" *and* "Hear, hear!"] I am desirous, on this occasion, of avoiding everything which may excite any difference of opinion. I may say, therefore, that in this free country different opinions have been entertained, and different sympathies felt, and that the freest expression has been given, as it is right should be the case, to those differences of opinion. I am sure I shall raise no controversy when I say that, in the presence of that great crime which has sent a thrill of horror through every one who heard of it, all difference of opinion, all conflicting sympathies for the moment, entirely vanish. I am anxious to say at once, and I desire to proclaim that belief with the strongest confidence, that this atrocious crime is regarded by every man of influence, position, and public estimation in the Southern States with the same degree of horror which it has excited in every other part of the world. We may, therefore — and this is all I wish to say upon this subject—whatever our opinions, and whatever our sympathies, cordially unite in expressing our abhorrence of the crime, as well as in tendering our sympathy to the nation now mourning the loss of its chosen and trusted chief, struck to the ground by the hand of an assassin, and that, too, at the most critical period of its history. Sir, while lamenting that war, and the loss of life inevitably occasioned by it, it is impossible, whatever our opinions or our sympathies, to withhold our admiration from the many gallant deeds performed, and acts of heroism displayed, by both parties in the contest; and it is a matter for painful reflection, that the page of history, recording such gallant achievements, and such heroic deeds, by men who have freely shed their blood on the battle-field in the cause which each considered right, should also be stained with the record of a crime such as we are now deploring. A new era appeared to be dawning, and the time had come when there was reason to hope that the war would speedily be brought to a close. Victory had crowned the efforts of the statesmen and the armies of the Federals, and most of us—all I hope —had turned with a feeling of relief and some hope for the future from the narrative of sanguinary conflicts to that correspondence which had recently passed between the Generals commanding the hostile armies, the character of which was equally honourable to each of those distinguished men, and all eyes were turned to Mr. Lincoln, with the hope and expectation — and I have reason to believe that that expectation would not have been disappointed—that in the hour of victory and in the use of victory he would have shown a wise forbearance, a generous consideration, which would have added tenfold lustre to the fame and reputation which he had acquired by his firmness of purpose and persevering stedfastness throughout the varying fortunes of this war. Unhappily the foul deed which has taken place has deprived Mr. Lincoln of the opportunity of thus adding to his well-earned fame and reputation; but we may hope, indeed we may expect, that the good sense and right feeling of those upon whom will devolve the arduous and difficult duties of the administration of affairs in this conjuncture, and their respect and veneration, the wishes and the memory of him whom they are mourning, will lead them to act in the same spirit and to follow the same counsels by which we have good reason to believe the conduct of Mr. Lincoln would have been guided, had he survived to complete the work in which he was engaged. Sir, I believe I am only expressing the general opinion when I say that nothing could give greater satisfaction to this country than that by means of generous forbearance, and of wise conciliation, the Union of the North and South should be again accomplished; especially if it can be accomplished by common consent, freed from what has heretofore constituted the weakness of that Union— the curse and disgrace of slavery. I wish it were possible for us to convey to the people of the United States an adequate idea of the depth and universality of the feeling which this sad event has occasioned in this country. From the highest to the lowest there has been but one feeling entertained. Her Majesty's Minister at Washington will, in obedience to the Queen's command, convey to the Government of the United States the expression of the feelings of Her Majesty and of her Government upon this deplorable event; and Her Majesty, with that tender consideration which she has always evinced for sorrow and suffering in others, of whatever rank, has, with her own hand, written a letter to Mrs. Lincoln, conveying the heartfelt sympathy of a widow to a widow under the terrible calamity with which she has been so suddenly overwhelmed. From every part of this country, from every class, but one voice has been heard, one of abhorrence of the crime, and of sympathy for and interest in the country which has this great loss to mourn. The British residents in the United States, as of course was to be expected, lost not an hour in expressing their sympathy with the Government of the United States, and the people of our North American colonies are vieing with each other in the expression of the same sentiments. And it is not only among men of the same race who are connected with the people of the United States by origin, language and blood, that these feelings prevail, but I believe that every country in Europe is giving expression to the same sentiments and sending the same message of sympathy to the Government of the United States. I am sure, therefore, that I am not wrong in anticipating that this House will, in the name of the people of England, of Scotland, and of Ireland, be anxious to record their expression of this sentiment, and a desire to have it conveyed to the Government of the United States. Of this I am confident, that this House could never more fully and more adequately represent the feelings of the whole of the inhabitants of the United Kingdom than by agreeing to the Address which it is now my duty to move, expressing to Her Majesty our sorrow and indignation at the assassination of the President of the United States, and praying Her Majesty that, in communicating her own sentiments to the Government of that country upon this deplorable event, she will express at the same time, on the part of this House, their abhorrence of the crime, and their sympathy with the Government and the people of the United States in the deep affliction in which they are involved.

MR. DISRAELI: Sir, there are rare instances when the sympathy of a nation approaches those tenderer feelings that, generally speaking, are supposed to be peculiar to the individual, and to form the happy privilege of private life; and this is one.

Under all circumstances we should have bewailed the catastrophe at Washington; under all circumstances we should have shuddered at the means by which it was accomplished. But in the character of the victim, and even in the accessories of his last moments, there is something so homely and so innocent that it takes as it were the subject out of all the pomp of history and the ceremonial of diplomacy; it touches the heart of nations, and appeals to the domestic sentiment of mankind.

Sir, whatever the various and varying opinions in this House and the country generally on the policy of the late President of the United States, on this, I think, all must agree, that in one of the severest trials which ever tested the moral qualities of man, he fulfilled his duty with simplicity and strength. Nor is it possible for the people of England, at such a moment, to forget that he sprang from the same fatherland, and spoke the same mother tongue.

When such crimes are perpetrated the public mind is apt to fall into gloom and perplexity; for it is ignorant alike of the causes and the consequences of such deeds. But it is one of our duties to re-assure the country under unreasoning panic or despondency. Assassination has never changed the history of the world. I will not refer to the remote past, although an accident has made the most memorable example of antiquity, at this moment fresh in the mind and memory of all present. But even the costly sacrifice of a Cæsar did not propitiate the inexorable destiny of his country. If we look to modern times, to times at least with the feelings of which we are familiar, and the people of which were animated and influenced by the same interests as ourselves, the violent deaths of two heroic men, Henry IV. of France, and the Prince of Orange, are conspicuous illustrations of this truth.

In expressing our unaffected and profound sympathy with the citizens of the United States at the untimely end of their elected Chief, let us not, therefore, sanction any feeling of depression, but rather let us express a fervent hope that from out the awful trials of the last four years, of which not the least is this violent demise, the various populations of North America may issue elevated and chastened; rich in that accumulated wisdom, and strong in that disciplined energy which a young nation can only acquire in a protracted and perilous struggle. Then they will be enabled not merely to renew their career of power and prosperity, but they will renew it to contribute to the general happiness of mankind. It is with these feelings, Sir, that I now second the Address to the Crown.

Resolved, Nemine Contradicente,

That an humble Address be presented to Her Majesty, to convey to Her Majesty the expression of the deep sorrow and indignation with which this House has learned the Assassination of the President of the United States of America; and to pray Her Majesty that, in communicating Her own sentiments on this deplorable event to the Government of the United States, Her Majesty will also be graciously pleased to express on the part of Her faithful Commons their abhorrence of the crime, and their sympathy with the Government and People of the United States.

To be presented by Privy Councellors.

BANK NOTES ISSUE (*re-committed*) BILL. [BILL 75.] COMMITTEE.

Order for Committee read.

THE CHANCELLOR OF THE EXCHEQUER: Sir, as some modifications have been made in this Bill, perhaps it will be as well that I should describe how it stands at present. The starting point, I think, in any discussion of this character, must be the Act of 1844, previous to which we were in a chaos of unsound principles and dangerous practice. That Act, however, laid down a complete system for the regulation of the issue of paper money. The principles on which it proceeded were four—first, that the paper money of the country should proceed from one single source; secondly, that the issue of that paper money is the prerogative of the Crown, consequently, that the profit attaching to it should form a legitimate portion of the public revenue. In the third place, that it is the duty of the State to see that the paper money was so secured to the noteholder that it might be accepted in the manner in which paper money is intended to circulate without doubt or question, and with perfect security against loss on the part of those who might so accept it. The fourth condition of the issue of paper money is that which is most clearly expressed in the Act itself—that an absolute and rigid limit should be placed upon the issue of that paper money except so far as it is adequately secured by being represented by a corresponding amount of bullion. Of these four objects the last is absolutely and finally secured by the Act of 1844. The object of this measure is distinct. We desire to place Parliament, so far as the issue from a single source is concerned, in such a position that it will be able, after the expiration of a moderate time, to deal with these questions freely and without prejudice. We do not ask Parliament to announce the adoption of any principle, or to add anything in that respect to what was done by the Act of 1844. With regard to the other two questions contemplated by the Act of 1844, as attendant upon the normal system of issue—namely, that the issue of bank note paper should be productive of revenue, and that the payment of the notes should be secured to the holder, our view is somewhat different. Under the present system of issue it has been found that the machinery provided by the Act of 1844 for the purpose of absorbing private issues has to a great degree failed. If the process of absorption were to go on at the same rate only at which it has proceeded for the last twenty-one years, some centuries must elapse before it is completed. It is not desirable obviously to postpone the object of the Act for so long a period, and as regards the productiveness of the issues to the revenue it is plain that under the law as it at present stands that principle is rather acknowledged than carried into effect. The amount paid by the issuers of private bank notes was an acknowledgment, perhaps, of the principle, but it was an acknowledgment within limits so narrow, amounting between the payment for composition and the payment for licences to less than one-half per cent, that it should be regarded as but a very partial application of the principle. It is provided by the Act of 1844 that, as private issues are absorbed after the payment of a regulated compensation, which was supposed would only endure for a limited number of years, the whole profits of these issues should pass to the State; but the proportion of issues that have lapsed has been so moderate that very limited effect has been given to that principle. We propose by the present Bill that for a term of years, which will be fixed, as far as regards the banks which may conform to this Bill, a payment of £1 per cent shall be substituted for the present payment of 7*s*. per cent, together with a certain moderate annual charge for licences on the issue of notes not very easy to calculate. Larger profits might have been asked for, but the main object of the Bill is not so much to open an additional source of revenue during the term of years specified as to fix a point at which Parliament should be at liberty to deal with all the points which appertain to the soundness and security of the system of the issuing of bank notes. I have, therefore, no scruple in asking for a reduction of the percentage which we at first required. There is another point in regard to which it is still more important that Parliament should adopt a measure which would place it in a position to act freely in these matters, and that is the question of the security of the noteholder. There is no occasion to speak either of the high character borne by the private issuers in general or the prudence of their transactions ordinarily, but at the same time painful instances which occur from time to time remind us of our duty to contemplate a system of complete security of bank issue. One instance in particular of recent date, and which it is not necessary to name, has tended to bring the subject home to the public mind. The object of this Bill is not so much to obtain immediately any great end as to lay the foundation experimentally of a system under which, so far as regards the issues of the banks which may accept the provisions of the Bill, it shall be brought easily and by a quiet process of voluntary operation within the power of Parliament to deal satisfactorily with the important subject of private issues. I may be asked, what is to be the position of the banks which will come under the Bill, and what is to be the position of those which will not come under the Bill? With regard to those banks which come under the Bill, it would be impossible to give them any rights beyond those which will be conferred upon them provisionally, and which will determine with this Bill. Anything beyond that belongs to the great and important subject of the regulation of the principle of issue; and my desire is satisfied, provided we shall secure for Parliament, as I think we shall secure for it by this Bill, a free, unbiassed, and untrammelled consideration of that subject at some time—a time which will come some years hence. When that time arrives we shall have before us the principle on which our great bank statutes are framed. If we are not satisfied with them, it will be in our power to go upon another system; but if, as I believe will turn out to be the case, those statutes are vindicated by experience, it will be our duty to extend them and give them a further operation. I think we may readily see that this Bill will place these banks under no disadvantage as regards the other banks. If, when the operation of this Bill shall have come to a termination, it be the pleasure of Parliament to establish a single issue, as far as the privilege of these banks is concerned, that privilege ceases, and Parliament will be perfectly free to deal without embarrassment with the whole question. In respect to the other banks, Parliament will have to deal as it thinks fit, and I do not think that those privileged banks will be dealt less favourably with than the others. But so far as regards those banks which do not conform, considerable anxiety has been felt by members of the banking body, and I have endeavoured on the part of Her Majesty's Government to meet it by a proviso, which I propose to insert in the 6th clause. I do not conceive that by this Bill we shall establish any new right of the State as against those banks which think fit to conform, and on the other hand we shall not establish any new rights of those banks as against the State. The relations between them and the State are regulated by the Act of 1844, and by that Act they will continue to be regulated. I am led to believe that a very considerable number of the issuing banks will avail themselves of the privilege of this Bill; but whether they do or do not, is not the question. Those which do not will continue in their present position, but without the privilege. We know what that is. The Act of 1844 did not secure them the privilege and issue for any definite term, except it was for a term which long ago expired. At any time Parliament thinks fit it is free to legislate with respect to all the private banks of issue. Free to legislate it will still continue; bound to legislate it will not be. With regard to the two conditions of issue—first, the question of profit to the State, and next the security to the noteholder—in neither does the Bill at once attain its object. The payment to the State is smaller than what the Bank of England pays, and smaller still than that which it has offered to pay. Then, as to security to the note-holder, I think that the obvious and natural operation of the Bill will be that, under the power of transfer in it, the weaker banks will sell the privilege which they possess, and stronger banks will buy it; therefore the position of the noteholder will be improved, even during the term of the Bill. But I do not say that on either points—especially that of security to the noteholder — the Bill establishes a final system. I do not think it would have been possible in any Session since I have held office—certainly not in the present Session—to carry by a summary Act of Legislation the establishment at once of a compulsory and final system; and that being so, I am glad to aim at doing that which other financiers have been content to do before—namely, by the voluntary action of the parties, and by the adoption of intermediate and provisional measures, to lay the ground for coming nearer to the objects which all legislation on the currency ought to have in view. I think that by this Bill we do not give any shock to private rights or private interests, nor any shock to private feelings or private wishes. As regards the Bill in its original form, it is true that apprehensions which I thought needless were entertained. With regard to the present Bill, a document had been drawn up by a Committee representing the views entertained by a meeting of the whole issuing body of the country—by the joint-stock issuers and those who may more properly be called private issuers. In this document, which bears date the 31st of April, and is signed by Mr. Rodwell as hon. Secretary, the Committee state that, acting under the authority given them by a public meeting on the 19th of April, they unanimously approved the proposed Amendments and alterations in the Bill, and withdrew their opposition to it as altered and amended in accordance with the notices which I have placed on the table. Under these circumstances I hope there will be a general disposition on the part of the House to accept and adopt this Bill as one which removes many existing evils, and which, with regard to the re-construction or final determination of our system of issue in this country, opens and prepares the way, and clears the ground, for a final settlement of the question. It must not be forgotten that the prime object of the Bill is the removal of the limitations placed on the private business of the banks—not on the business of issue but on that of banking. The framers of the Act of 1844, which was wisely and prudently constructed for its objects, finding in existence privileges which they were not willing to recognize as a permanent right, but which they did not think it fitting peremptorily to terminate, left those privileges to the holders, under certain penalties which did not apply to issuing only, but to their trade as bankers. They were not to be permitted to have more than a certain number of partners; they were not to be allowed to do that which in the progress of monetary transactions has become a matter of great importance — namely, to transact their own business in London, even though it might appear to them that they could do so better than others could do it for them. This Bill, then, is a measure tending to that freedom of trade which we all agree in thinking desirable; and with respect to issue it is a preparatory and partial measure, doing good as far as it goes, and opening the ground for doing more good hereafter. I hope the House will accept it as modified; and with these prefatory remarks, I move that you, Sir, do leave the Chair.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. AYRTON said, that when this subject was first brought under the notice of the House by the Chancellor of the Exchequer, it appeared to him that some further information from the right hon. Gentleman was desirable, and he put a notice on the paper with the object of eliciting that information. He had listened attentively to the right hon. Gentleman on the present occasion; but he could not say that he was satisfied with the explanation which he had given the House with reference to the Bill, or to the Act of 1844 which was at the root of the matter. If the right hon. Gentleman's explanation of that Act were strictly accurate there might be sufficient apology for this Bill; but if the explanation were incomplete a great deal of the foundation of this measure must fall to the ground. Previously to the Act of 1844 private bankers possessed the right of issuing their own notes without limit, except in that part of the kingdom purposely reserved to the Bank of England. The Parliament of that day, not wishing to deprive them suddenly of a right which had grown up during a long course of years, entered into a contract with them by which they were to enjoy their monopoly for a further period of twelve years, on the distinct understanding that such extension was to be regarded as an ample compensation for the rights of which they were then to be deprived. This contract was the whole scope and object of the Act of 1844, so far as he understood it. The provision in that Act declaring that all compensations by the Bank of England to private bankers should terminate at the expiration of the twelve years clearly showed that the extension of the private bankers' monopoly was limited to that period, and that the exclusive right of issue during that period was to be the measure of their compensation. If that were the right construction of the Act, at the end of the twelve years the bankers, who had enjoyed this extraordinary and exclusive privilege during that period, had no claim upon the House in respect of the abolition of their rights. But the Chancellor of the Exchequer said it was the intention of the Legislature, in passing that Act, that at the end of the twelve years there should be but one exclusive source of issue, and he rather suggested that such exclusive source was to be the Bank of England. There was no foundation for such a surmise in the Act itself; then whence did the right hon. Gentleman derive his information relative to the intention of Parliament on the subject? For his own part, the inference he drew from the Act was that Parliament never intended that the Bank of England should be the sole source of issue. But, in any case, what was the position of the private bankers when the period assigned had elapsed? Why, the public were involved in the complexities of the Russian war, and in the face of those difficulties it was not found convenient to deal with the matter, which was accordingly allowed to stand over from year to year, and thus the bankers had enjoyed ten years of grace after the expiration of the extension granted. Was it possible, under such circumstances, to say that they had any claim whatever to the monopoly of the issue of bank notes? That was the question for the House to determine, and, unfortunately, that was the one point to which the Chancellor of the Exchequer had not alluded. What possible right had the private bankers to ask the House to grant them the exclusive right of issuing paper money in this country for fifteen years longer? The Chancellor of the Exchequer was bound to show that they were about to confer some extraordinary benefit upon the country, in return for the extension of the monopoly asked; but it rather appeared from the speech of the right hon. Gentleman that the benefit would be on the other side, and that the public were to be sacrificed for the good of the bankers. The Chancellor of the Exchequer was, however, entitled to ask any person objecting to his scheme what other proposition was to be brought forward in its place. There were two methods which might be adopted. In the first place, it might be said that the right of issuing paper money was common to all persons in the realm, and that one man had as good a right to issue it as another; that it was not an affair of the nation, and connected with the current coin of the realm, but a species of credit which every man had a right to enjoy, consistent with the liberty accorded to the subjects of the State. If they could devise a scheme in which any number of select and favoured people should issue bank notes, they could devise a scheme under which all persons could issue them. A scheme founded upon that assumption was, doubtless, open to very serious objections, still regulations might be adopted which would meet them in a large measure, and would afford sufficient security to the public against a false and fraudulent issue of paper money. In this era of free trade Parliament had no right to adopt this entirely new system of legislation, and to sell such a monopoly to a certain number of persons. If they adopted the measure as it stood, they would be reverting to the times when it was the fashion to legislate in favour of particular classes—a fashion which led to the adoption of the system of protection. This was not a question between Government and the bankers, but between the public, on the one hand, and the claimants of this exclusive privilege on the other. Then what claim had the bankers upon the public? They had not been stricken down as a large proportion of our population had been—the unfortunate victims of free trade—they were not in dire want, for they were the richest among the community; in fact, on no ground whatever could they ask Parliament to continue this unparalleled monoply. The second view which might be taken of the subject was that no private banks should issue paper money. That view might be a very reasonable one, for it might be policy for the State to issue exclusively paper money as well as coin. That was a principle which it might be very easy to defend, and which might be carried out in all its integrity. But the Bill before the House adopted neither of these principles. Instead of carrying out the policy of Sir Robert Peel it postponed that policy for fifteen years longer. The payment at present made by the bankers was in the nature of a stamp duty on bills of exchange, whereas that now proposed was a consideration for an exclusive monopoly. They now proposed to grant to these private bankers the right of issue for a term, for which they were to pay a rent of £1 per cent. This was a most objectionable proceeding. The Chancellor of the Exchequer had stated that if this Bill were passed no injustice would be done to those banks which did not come under its operation. But the practical effect of this Bill would be to suspend all legislation on the subject of banking and the issue of paper for the period of fifteen years. The present Session, the last of this Parliament, was peculiarly inopportune for the consideration of a question affecting so favourably a class of the community who were most influential at a general election. It was, therefore, extremely desirable that the Chancellor of the Exchequer should postpone this matter, and bring forward next year a comprehensive measure more worthy of his antecedents. He had heard with great regret the apologetic speech made by the right hon. Gentleman for these chartered monopolists. He had evidently found how difficult it was to conciliate monopolists having once fallen into their hands. He first of all told the House he should get a percentage of £2 5*s.* per annum for the privilige he had to dispose of under this Bill; then it fell to £1 5*s.*; and it was now down to £1. Such was the state of the auction in which he was exposing the public interests. It was, indeed, most lamentable. Far better withdraw the commodity altogether and wait for a better opportunity. Regarding the Bill with unqualified regret and with great disapprobation, he moved that its consideration be adjourned for one month.

Amendment proposed, to leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day month, resolve itself into the said Committee," — (*Mr. Ayrton,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. Alderman SALOMONS said, that he objected to the mode adopted of selling at that time of day privileges to any class of persons whatsoever. He believed that every one admitted that the Act of 1844 was a vrey wise measure, but they still might question some of the reasons on which that measure was supported. The Bill before them had two objects in view. One of them was to remove the restriction limiting private issuers to the number of six partners. That limitation was a part of the old monopoly of the Bank of England—long since abandoned by them—and was of no use to the public or to bankers themselves. Nothing was more desirable than that restriction should be removed. Another object of the Bill was not to limit country issues, but to extend them by allowing country issuers to become bankers in London, which they could not be at present. The right hon. Gentleman wished to remove that which he called an anomaly in the interest of free trade, and told the country issuers that if they paid 25*s.* and a commuted sum of £1 per cent he would give them the privilege of being bankers in London. But the right hon. Gentleman did not propose, as in the Act of 1844, that security should be given to the public for such issues. If they were to legislate at all for the country issuer, they ought to take a larger view of the question than had been taken by the right hon. Gentleman, and give increased security to the public while they extended the business of the bankers.

Mr. CAVE said, he would not oppose the Bill at this stage, but he should like to say a few words, because, in fact, the principle of the Bill had never been discussed. On the second reading the House immediately rushed into a debate on the Act of 1844, from which, when once begun, it was always hopeless to recall it. Now, he thought this Bill required grave consideration, and that a more ample discussion of its provisions was necessary than was possible after going into Committee. He did not object to banks of issue having offices in London; that was a question between themselves and their agents, and not one of public policy. He was glad the Chancellor of the Exchequer had determined at length to maintain the sixty-five mile limit with regard to issues. His first proposal would have given these banks an unfair advantage over those which had not the same privilege, and, independently of profit, would have enabled them to advertise themselves, as it were, by means of their issues. If, according to Sir Robert Peel's statement, the withdrawal of private circulation within that limit would not have been felt in 1844 in consequence of the general use of Bank of England notes, still less would it be felt now, and surely we should legislate according to the requirements of the country, and not on the principle of making money by the sale of privileges, which would really be *privilegium* in the bad sense condemned by writers on old Roman law. Whatever might be the intention of the Chancellor of the Exchequer, the Bill, even as amended, was a grave interference with the Act of 1844. The late Sir Robert Peel, the author of that Act, was one of those statesmen "who still rule our spirits from their urns," and it was almost treason to doubt many of his doctrines; but he never succeeded in convincing the country of the policy of the Act of 1844. Indeed, it was one of those questions, like matters of faith, on which it was easier to silence an opponent than to convince them. And on this particular point of paper issues there had always been a party which considered that bank notes should be left to the ordinary laws of supply and demand; that you should indeed insist upon the convertibility of the note, but exact no security, except, perhaps, in case of the Bank of England note, which was the sole legal tender. But the Chancellor was supposed to agree with the principles of Sir Robert Peel's Act, and to consider that the holder of a country bank note was not always sufficiently protected. He took, however, a very different course. Sir Robert Peel was anxious to get rid of the private issues, but he was opposed to violent change, and wished them to die a natural death. Hence he prohibited transfer of right to issue, and forbade any change in the constitution of the partnership, but though he specially stated he could not guarantee the continuance of the right, he fixed no limit. He proceeded rather by temptation to surrender the right; by insuring division and preventing combination, and by other disabilities which made the right burdensome. Certainly the effect was not so speedy as he had anticipated from various causes. Still the circulation, which was eight millions, was now reduced practically to six, and the midland counties had nearly abandoned the use of country paper. The Chancellor, with the same end in view, took an entirely opposite method. He seemed to think that division was strength, he therefore gave existing banks the power of concentrating, and fixed a time for their circulation coming to a sudden and violent end. Now, the first effect of this would be an increase in the issue of private bank paper, and in this way. Banks of issue were at present obliged to allow a considerable margin to avoid the penalty for over issue, so that while the authorized issue was seven and a half millions, the actual issue was under six; but if this right were concentrated in a few large banks, the necessary margin would be much diminished. Again, the private issues would be introduced into new places, and when people had become familiarized with them, they would be suddenly stopped, which was calculated to create the maximum of inconvenience. This was supposing the right would really terminate in fifteen years; but, long as this lease was—though shorter than the original proposal—how could they be sure of its termination? The right hon. Gentleman had on a former occasion given them his idea of the flexibility of Parliamentary compacts, and this might be changed one way or the other in a similar manner. There were minor details in the Bill which seemed objectionable. If the object was to throw open the traffic in issues, why not admit those banks which had not now the right to a participation? He thought the scheduled banks had reason to complain, as they had been induced to surrender a right which they might have parted with under this measure on far more advantageous terms. He had ventured, when the Chancellor made his preliminary statement, to question the propriety of making the right to issue an asset in the case of bankruptcy, and the reply of the right hon. Gentleman, that it was in the nature of a lease, had not convinced him; for, though a lease might, no doubt, be transferred, and was therefore a *quasi*-property, still, on certain contingencies, it became absolutely void and valueless. He was glad the Chancellor had now adopted the same opinion. The changes announced by the right hon. Gentleman were decided improvements, but he thought others were necessary. Several amendments were on the notice paper, and he earnestly hoped the Bill would not be adopted without the greatest caution and such other modifications as might be necessary to prevent the mischief which, in its present state, he feared it might occasion.

MR. NEATE said, on reference to the Act of 1844, he could not find any authority to support what had been stated by the hon. Member for the Tower Hamlets (Mr. Ayrton), that the private banks had a right to continue their issues under that Act. The object of the Act was to extinguish altogether the circulation of the private banks so far as it could be done consistently with right. The Parliament maintained its right to stop the issue, but not without compensation. The limit of the Act of 1844, as regarded the Bank of England, was ten years, but he did not say that that limit attached also to the rights of private issue. The private banks would go on from year to year till Parliament should choose to stop them, and Parliament would not stop them without taking their claims into consideration. The hope was that this circulation would gradually die out, and in order to increase that prospect the rights of transfer were denied, and no provision was made for the continuance of the right in the case of a certain number of partners being admitted. He could not say that the private bankers were in any worse position now than shortly after the passing of the Bank Act. If immediately after the passing of that Act, Parliament had exercised its extreme authority, great injustice would have been done to the private issuer.

Mr. BLACK said, this was so vital a question to the interests of this country that the House would not be doing justice to it by dealing with it in any partial or special way. There were a great many different opinions upon the system proposed by the Bill. All such matters ought to be submitted to the consideration of a body composed of the most experienced merchants and of those best acquainted with political economy and who understood most thoroughly the system of banking. Before any plan was adopted the Bill should be remitted to a Committee to consider what ought to be done. The main object of the Bill was very proper. It was intended, as he understood, to give facilities to those who dealt in money, and to merchants who were bankers, and who were at present restricted from having places of business in London. He could not see why bankers in the country should be prevented from having places of business in London, or what objection could be urged against adding to the number of partners those who were, perhaps, better qualified to manage the business than others, and thereby give greater security to the public. The object of the Bill, therefore, was good so far as it went in this respect, and ought to be supported by the House. There was another object of the Bill, that the whole of the paper issues should be confined to the Bank of England, or to some national bank. That was obviously the tendency of the Bill. It was dangerous to make any alteration in a matter of such vital importance without first making every inquiry into the circumstances of the case, and he thought the question ought to be thoroughly examined into by a Committee who were qualified to look into the matter. He denied that banks ought to be intrusted with freedom in paper issue as there was freedom in other departments of business, because while the latter was an affair of trade, the former would in reality be nothing more or less than coining money.

Mr. HEYGATE said, he was of opinion that, while this measure had conciliated a few, it had excited opposition in many different quarters for many different reasons. The settlement which had already been come to by the House of Commons, by the Act of 1844, ought not to have been departed from unless that departure were called for by strong reasons of public necessity, and he would submit that in the present case the reasons adduced in support of a change were not sufficiently strong. A few applications from banks complaining of the restrictions under which they laboured might possibly have been made to the right hon. Gentleman the Chancellor of the Exchequer, but one or two applications were not sufficient to warrant their dealing with a subject so large and comprehensive in its character. In his own locality he might venture to say that the present measure had been received by all the country bankers with whom he had communicated with the most unmitigated feeling of distrust and dislike. They were perfectly satisfied with the Act of 1844.

Mr. THOMSON HANKEY said, he could not see that the Act of 1844 was carried out or furthered in any way by the present measure. It would, on the contrary, rather retard the object which the Act sought to accomplish. There could be no doubt that by the spirit of that Act, Parliament was considered at liberty to deal with the question in 1855. A Bill was then introduced to render that Act permanent, subject only to a notice for its discontinuance. As the Chancellor of the Exchequer had explained, the intention of Sir Robert Peel and of the Act of 1844 was that there should be one issue within a limited time. He contemplated the final extinction of country issues, and that there should be one issue, but whether of a national bank or of other banks in England was a question to be considered by the Government of the day. But there was to be one bank based on the great principle of undeniable security, which had never been obtained up to that time. The principle, however, had never been carried out, because Sir Robert Peel had found the country bankers' interest in the House too strong for him, and he was unable to carry out what was a sound principle; therefore he carried out a part of it, holding out a hope that at the end of ten years the thing would finally end. The Chancellor of the Exchequer had shown that this was a slow process, but that was no reason why they should depart from a beneficial principle. He objected to giving another lease of fifteen years to country issues. He should like to see them put an end to. But if that was the desire, he hoped the present Bill would not be passed. If the Chancellor of the Exchequer were in office fifteen years hence he should be content to leave the matter in his hands; but that might not be. Let disabilities be removed, but he hoped the House would not perpetuate for fifteen years what appeared to be a most vicious principle. He should have no fear to let matters go on as they were; but if there was to be legislation at all, it ought to be to carry out the principles of the Act of 1844, which were to limit issues, to give security for the note, and to have one bank of issue only.

Colonel EDWARDS said, that country bankers looked upon this measure as an act of confiscation—as much an act of confiscation as it would be to take a man's rents from him. They generally disapproved of it, regarding it as uncalled for as a piece of legislation that would unnecessarily disturb the existing order of things, and do more harm than good. If the hon. Member (Mr. Ayrton) persisted in his Amendment he would go into the lobby with him. He protested against this sort of Government interference when it was not required. Until he came into the House that night he never heard that the country bankers generally assented to this Bill. He did not believe that they did assent to it. This he knew, that the principal bankers in his constituency—many of them—declared that they did not approve of the Bill, and wished him to give it all the opposition in his power. The bankers of Hull and York, from whom he had had many communications on the subject, also disapproved of the measure.

Sir CHARLES WOOD said, he was sure the hon. Member for Peterborough would acquit him of any unfriendly feeling towards the Act of 1844. He fully admitted all the advantages which that Act had conferred upon the country, and if he thought the Bill proposed by his right hon. Friend would in any way tend to impair the usefulness of the Act of 1844 he would be the last to support it. It was true that Sir Robert Peel in 1844 did contemplate the extinguishment of the country issues, but at that time it was more easy to propose than to carry out such a plan, and he was therefore compelled to proceed more guardedly by gradually undermining rather than by putting a sudden end to them. The Act of 1844 attained a great good, but not the whole of the good contemplated by Sir Robert Peel. The measure which Sir Robert Peel then passed was intended to encourage country banks to enter into compositions with the Bank of England, whereby the notes of the latter establishment should be substituted for their own issues, his object being undoubtedly to have but one national issue. What he did was to prevent the great mischief that might arise from the country banks improperly increasing their issues. There was no doubt that Sir Robert Peel contemplated a revision of the Bank charter at the end of ten years. The state of affairs which was brought about by the Act of 1844 was an unlimited continuance of the country issues to the amount then in circulation until Parliament came down with a new Act. This step had not yet been taken. Now, the question arose upon application being made to his right hon. Friend for some facilities to bankers beyond the sixty-five miles circuit. His right hon. Friend proposed to give these banking facilities, but also proposed that, in consideration of these banking facilities being given, the right to issue notes should absolutely cease at a given time. At present the country banks had an unlimited lease of issuing notes, unless Parliament should interfere, but under this Bill they would only have a limited lease, and the right of issue would absolutely cease unless Parliament should interpose to prevent the termination of the lease at the expiration of a period of fifteen years. He thought that in this respect the Bill would be a great step towards carrying out the principles of the Act of 1844, and therefore he could not hesitate to give it his utmost support.

Sir STAFFORD NORTHCOTE said, he desired to make an observation with regard, not to the principle of the measure, but as to the position in which they stood in reference to it. The question was not as to the course they should take with respect to the provision of the Bill which gave the lease, but whether they should go into Committee on it at all. He put it to the hon. Member for Peterborough—admitting for the sake of argument all that he had stated — whether it was desirable to allow matters to go on exactly in their present condition by refusing to go into Committee. The whole argument against proceeding with the Bill resolved itself into this, that country bankers were bankers of issue, and should continue to hold that position; but as they were bankers of issue he contended that it was important on behalf of the public to obtain all possible security for the validity of their issues. Was it not desirable, seeing that there was no immediate prospect of dealing with these banks this or next year, to put them on the best and most secure footing possible, instead of allowing them to die out to the mischief of the public? By going into Committee, an opportunity would be afforded of discussing the provision, of which notice had been given by the hon. Member for Greenwich (Mr. Alderman Salomons). A provision ought to be introduced, obliging these banks of issue to give security for a whole or a part of their authorized issue, and if this were done, a great step in advance would be gained in securing the validity of the country issue. He hoped the House would go into Committee upon the Bill.

Mr. HUBBARD said, that the security of the public in the limitation of a paper issue, and in the application of the profits which might accrue, were conditions which could not be too largely insisted on. He agreed with his right hon. Friend who introduced the Bill as to the House being perfectly free to deal with that subject. But, that being so, where was the necessity of entering now into a sort of compromise which tied up the hands of the House for fifteen years to come? This was not a general measure affecting the issues of all banks, but was a mere Permissive Bill to meet the convenience of one particular bank; but his right hon. Friend offered the same convenience to other banks which might follow in its train. In his own opinion, very few banks indeed would follow in the train of that one particular bank. He therefore deprecated the proposed legislation. The right hon. Member for Stamford wished to go into Committee in order to consider the Amendment suggested by the hon. Member for Greenwich (Mr. Alderman Salomons); but if a certain compact had been entered into by the Chancellor of the Exchequer with all the important issuing banks, it was clearly not in his power to re-adjust the terms he had made, and to go into Committee to rectify the Bill would be a delusion. If the Government interfered in that matter and gave any further sanction to the business of private issue, its first duty was not to share the profit, but to protect the public. He was in favour of the public having a sure and available medium of currency, and of security being given for a certain portion of the issue. Seeing that that was the last year of the Parliament, and that they would not be able now to deal satisfactorily with the question, they could not do better than postpone the whole matter.

Mr. GOSCHEN said, the country bankers had opposed that measure very strongly, because they saw in it the thin end of the wedge; but he supported it himself because he admitted that it was the thin end of the wedge. It was desirable gradually to get rid of the private issues; and as a friend of the Act of 1844 he supported the Bill, because the result would be that it would put an end to private issues altogether. When the period of twenty-five years appeared in the Bill, he felt a strong objection to it, and he had put an Amendment on the paper for substituting ten years. He now supported the measure because it placed a limit—although, he was sorry to say, rather a distant one—to private issues. The most valuable parts of the measure were the provision fixing a term when the country issues should cease, and the tax of £1, which involved an important principle, as showing that the State claimed the right to deal with the currency.

Mr. AYRTON said, he would withdraw his Amendment, and leave the House, if it chose, to divide on the main Question.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 4, inclusive, *agreed to.*

Clause 5 (Power of Banks of Issue to obtain Exemption.)

MR. ALDERMAN SALOMANS moved the omission of certain words of the clause, which repealed in respect of banks of issue, undertaking to pay the percentage on its issue, the provisions which restrict the number of partners to six, and prohibit them from having a house of business or issuing their notes within sixty-five miles of London. He said that it was for the public interest that banks of issue should be strengthened by an increase of partners, and that we ought rather to offer them every facility for doing so than to make it onerous on them by making the addition a subject of charge. The hon. Member proposed to omit the words imposing the condition.

THE CHANCELLOR OF THE EXCHEQUER said, that the proposal of the Government was to remove certain banking disabilities on condition of the issuers placing themselves in a position more conformable to the Act of 1844. The proposal of the hon. Member would tend to remove this hold upon the banks.

Amendment *withdrawn.*

Clause *agreed to.*

Clauses 6 and 7 *agreed to.*

Clause 8 (Issue of Banks accepting Conditions of Act to continue till 1st January 1875.)

THE CHANCELLOR OF THE EXCHEQUER moved to leave out down to "longer," and insert—

> "If, on or after the 1st day of January, 1879, notice shall be given by the Commissioners of the Treasury, by publication in the *London Gazette*, to all the banks issuing notes in respect of which such percentage as aforesaid is payable, requiring the termination of such issues, then, unless Parliament shall otherwise determine, the said issues shall cease on the 1st day of January, 1880, or at the expiration of one year, from the said notice, as the case may be."

The effect of the Amendment was to accomplish what the executive Government and the gentlemen connected with banks equally thought convenient—namely, that a distinct notice should be given to enable them to make preparations for the change. As to the policy of the Act there could be no mistake. It turned altogether on the fixing of a particular term when Parliamtnt shall think that the Executive ought to be invested with full power to direct that the issues in question should cease. He had not a doubt that the notice would be given in the spirit of the Act, and by this clause parties would have the opportunity of calling the attention of Parliament to the question. He did not anticipate that any discussion would take place on the Amendment, fixing as it did the precise time beyond which no right could survive.

MR. THOMSON HANKEY said, he agreed with the clause as first proposed by the Chancellor of the Exchequer, but altogether disagreed with the Amendment. He had intended to move in the Committee that a term of ten years should be substituted for the term of fifteen, as proposed in the clause as it now stood; but, as it appeared to him, the whole principle advocated by the Chancellor of the Exchequer was given up by the Amendment. The Chancellor of the Exchequer said that he meant that the bank issues should cease at a certain time by Act of Parliament; but, by the wording of this clause, it was merely that the country banks should not issue after that time without further notice—so that any Chancellor of the Exchequer who might take another view of the matter might, if he liked, postpone altogether the issue of the notice. He (Mr. Hankey) wanted the Act passed in such a form as to make the country issues class entirely independent of the will of any future Minister.

MR. HEYGATE said, he understood that the opposition of the country bankers had been withdrawn on this condition.

MR. ALDERMAN SALOMONS said, that after all, the Act would only operate in the case of those banks which voluntarily adopted it, and who might or not be called upon by the Chancellor of the Exchequer, in fifteen years' time, to execute the bond they now undertook. He contended that, so far from being a great commercial measure, it would be found that, from its optional character, they had after all their labour done nothing at all. He believed it would only be accepted by one or two banks, and considered the Bill one very unworthy of the present Chancellor of the Exchequer.

MR. BRISCOE said, that he should support the Bill as it had been modified by the Chancellor of the Exchequer; had it remained in its original shape he should have opposed it.

MR. HUBBARD said, one great argument for the Bill as it originally stood was, that private issues would terminate at a given date; but as the clause was now proposed to be amended it would only enable the Treasury to terminate those issues or not, as they should think fit.

Mr. AYRTON said, that he thought that the first offer of the Chancellor of the Exchequer was the best for the public, because it was some satisfaction to see that in 1875 those banks which came under the Bill would cease to have any rights at all. The substitute was that in 1880, instead of being extinguished, they were to receive a notice from the Treasury to that effect. The result would be that if a strong Government, which could carry everything, happened to be in office, and an enterprizing Chancellor of the Exchequer who held sound opinions upon this question, this notice would probably be given; but not otherwise.

The CHANCELLOR of the EXCHEQUER said, that there was a great deal of difference between issuing a notice from Downing Street and bringing a proposition before the House and having to contend with a variety of suggestions and Amendments. It was not intended to refer the policy of this Bill for re-consideration by any future Chancellor of the Exchequer. The one great object of the Bill, for which many sacrifices were made, was that as to those issues which came within the scope of the Act Parliament should at a certain period have absolute power, and there was no way of giving to Parliament this absolute power except by providing for an absolute determination of the right of issue. He undertook nothing with regard to the view which Parliament might take at the period indicated. The question upon what principles the policy of issue should thereafter be conducted would depend upon the judgment of the Parliament of the day, who would no doubt pay greater attention to the great and wise Act of 1844 than to any words of his, and would avail themselves of all the experience which would by that time have accumulated. As to the notice from the Executive, this would be a purely Ministerial act, and one which, whether the Government of the day were strong or weak, they need not hesitate to perform. Upon this question he had found it impossible to bring in a large and comprehensive measure. He had framed one satisfactory to himself, but in the face of the opposition by which it was sure to be met it was hopeless to propose such a measure, and so when he found he could not do all he wanted he tried to do part. He saw no mischief in providing for the notice; and as the bankers seemed to attach great value to such a warning he had acceded to their views.

Mr. THOMSON HANKEY said, that the optional power could be done away with by leaving the word "if" out at the commencement of the words proposed to be added.

Mr. GOSCHEN said, it would be better still to leave out the words "if, on and after," and then the sentence would begin by definitely stating that the notice should be given by the Lords of the Treasury.

Sir STAFFORD NORTHCOTE said, it would be an improvement to leave out the four words, "if, on and after," as suggested.

The CHANCELLOR of the EXCHEQUER proposed that the Amendment which he had moved to the clause should read thus—

"On or before the 1st day of January, 1879, notice shall be given by the Commissioners of the Treasury, by publication in the *London Gazette*, to all the banks issuing notes, in respect of which such percentage as aforesaid is payable, requiring the termination of such issues, and then, unless Parliament shall otherwise determine, the said issue shall cease on the 1st day of January, 1880."

Mr. THOMSON HANKEY withdrew his Amendment.

Then the Amendment of the Chancellor of the Exchequer *agreed to.*

Mr. SALT said, that if, under this Bill, a right now possessed by the banks was absolutely to cease at the end of a given number of years, the measure was one of great importance, and the clause was deserving of great consideration.

Mr. HUBBARD said, he wished to ask what was to be the position of the banks which did not comply with the provisions of the Bill?

The CHANCELLOR of the EXCHEQUER said, he was rather surprised at this question. Before the House went into Committee, with all the variations of language which the powers at his command enabled him to employ, he had gone into this same question, and had at length checked himself from the fear that the House would experience a species of nausea in being obliged to listen to so much on the subject. The banks referred to by his hon. Friend would incur no loss and obtain no benefit under the Bill. Under the Act of 1844 they occupied a certain position, and in that position they would remain.

Sir STAFFORD NORTHCOTE said, that the Bill would not leave those banks precisely as they now stood. The banks would be divided into two classes—namely, conforming and nonconforming banks; and the question was what effect would this clause have upon the nonconforming banks? If the measure was a good and a proper one, it would, of course, be desirable, in the interests of the public that as many banks as possible should accept its terms. But the managers of provincial banks would naturally argue that it would be better to forego the advantages offered rather than absolutely to resign their right of issue at the expiration of the fifteen years' term fixed by the Act. He thought that, under the circumstances, it would be better to place both classes of banks on the same footing at the expiration of the term.

Mr. CARDWELL said, to adopt such a suggestion would be to throw away the principal object of the Act, which was to advance another step in the direction taken by the Act of 1844.

Clause, as amended, *agreed to.*

Clauses 9 to 18, inclusive, *agreed to.*

Mr. Alderman SALOMONS said, that he wished to draw attention to the fact that of late one large bank had been compelled to close its doors, and that the public had been glad to accept 10*s.* or 12*s.* in the pound upon its notes which were in circulation at the time of its stoppage. In his opinion banks ought to give some security for the payment of their notes. He understood from an hon. Member of that House, who was a director of a very large bank—the National Provincial Bank of England—with an ample capital, that the managers of that establishment would have no objection whatever to give security for its notes; and he thought most of the substantial banks would be equally able and willing to give the security the clause he proposed pointed out. It was certainly a great anomaly that while the Act of 1844 compelled the Bank of England to give security for its issue, the public should have been left at the mercy of the private banks. He begged to move the adoption of the following new clause:—

(Deposit of Government Securities by Banks of Issue.)

"Provided always that, previous to any Bank of Issue having a house of business or establishment as bankers in London, or at any place not exceeding sixty-five miles from London, such Bank shall deposit with the Commissioners of the National Debt an amount of Exchequer Bills or other Government Securities equal to its maximum authorized issue, to be retained by the said Commissioners so long as such Bank shall continue a Bank of Issue, with a house of business or establishment in London, or within sixty-five miles thereof."

The CHANCELLOR of the EXCHEQUER said, that the argument of his hon. Friend might have been understood to apply to a different clause from that which he had moved. His hon. Friend said, there was a great amount of unsecured issues of bank notes, and it might be supposed that he was going to move a clause to put an end to that state of things, and to require all private and joint-stock banks of issue to give security for their notes. The House had passed a clause through Committee by which certain of the banks of issue would place themselves in a position much more favourable to the public than banks of issue in general, and his hon. Friend wanted to draw a fundamental distinction between these banks to the disadvantage of the conforming, and the advantage of the non-conforming, banks. He would rather say, on the other hand, that it was the notes of the non-conforming banks that ought to give security, and not the others. The hon. Member was free to hold that at any moment Parliament would be justified in imposing the duty of giving security upon all private issuers whatever. But he (the Chancellor of the Exchequer) protested against imposing the duty exclusively on the conforming banks. If there were any necessity for giving security for notes, that necessity was strong or weak, as the banks were weak or strong. Where the bank was weak there was the more need of security; where it was strong there was the less need of security. Did his hon. Friend think that the weak bank, to which reference had been made, would have been a conforming bank? If there were any banks now in existence with a rotten circulation, they would remain untouched by the clause, but if there were banks strong, flourishing, extending their business, having the confidence of the public, solid and solvent, these banks would conform to the Bill and become banks of issue. He protested against drawing the distinction proposed by the clause. It was both unfair and inconvenient. His strong objection, however, to the clause was that this question of security was essentially one which, if it were dealt with at all, ought to be dealt with by direct legislation. The right of Parliament to require banks of issue to find security was one deeply rooted in the nature of note issue, and it was the duty of Parliament to provide for the soundness of the issue. By the Bill now before the House, the Government did something, although not everything, with regard to conforming banks. Upon the general question of legislation he would not on the present occasion give an opinion, except to say, that it was within the right and competency of Parliament to take security. But his hon. Friend's clause would require a great deal of subsidiary legislation to carry it out, and of a kind not belonging to the measure before the House. He (the Chancellor of the Exchequer) was not seeking by this Bill to prejudice the question of security by banks of private issue, but his hon. Friend, on the contrary, was, by his clause, going far to prejudice the question. It would be most unwise to deal with this important question of security at the present moment. His hon. Friend required that the notes of the banks in question should be secured by Exchequer Bills or other Government securities. He, on the other hand, was by no means certain that it was either necessary or equitable to limit the banks that might be required to give security to Government securities. There might be securities quite as good—mortgages, for example, which might be bad securities for the bank itself to take, but which might be as perfectly good as the securities contemplated by his hon. Friend. He (the Chancellor of the Exchequer) was not sure that the security for the notes of issuing banks might not be provided by very different means—by constituting, for example, their notes as a first lien on their assets. That, however, was a matter of great delicacy and importance, and before legislating upon it, it would require more consideration than had been given to it. He believed there were many topics that should be taken into view before they proceeded to deal fully with this important question; but he did not intend to treat it lightly, or show disrespect to his hon. Friend's authority. If it were the opinion of Parliament that banks issuing notes should give security, that would be of great advantage to the public. He would almost venture to say that his hon. Friend himself must see that to attempt to close the consideration of the subject by this clause would not be sound or good policy.

Mr. HEYGATE said, he thought the distinction drawn by the right hon. Gentleman between strong banks and weak ones was likely to be misunderstood. If only two or three banks conformed to the proposal, the condition of the non-conforming banks would remain unimpaired; but if the right hon. Gentleman were enabled to split up the banks and to induce one-half to conform, the others standing alone would find their position materially disturbed. The hon. Member for London (Mr. Goschen) was correct in the view which he took when he regarded the Bill as the thin end of the wedge. That hon. Member was a determined opponent of country issue, and was therefore consistent in wishing the passing of the measure.

The CHANCELLOR of the EXCHEQUER said, what he intended to convey was that the banks, generally speaking, were strong; but in the case of issuers they could never be certain that there might not be one or two weak ones. And these would possibly be found among the non-conforming ones.

In reply to Mr. Goschen,

The CHANCELLOR of the EXCHEQUER said, that he understood this contract with the banks to refer altogether to matters apart from the security for issues. It appeared to him that the obligation of the note issuer to give an adequate security for issue was of a general nature, and could not be possibly affected by a Bill of this kind unless specifically expressed. The liberty of Parliament to deal with the security of issue would remain totally unimpaired.

Mr. HUBBARD said, he believed that the measure would never come into operation save with regard to two or three banks, and wished it had never been brought forward.

Mr. THOMSON HANKEY said, he thought there could be no impropriety in dealing with the issuing banks, to whom under the terms of the Bill a privilege for fifteen years was given.

Mr. NEATE said, he should require legal authority higher than that of the right hon. Gentleman for the assertion that rights of issue already enjoyed by banks under Parliamentary authority could be affected or withdrawn without compensation being given for the loss ensuing from the alteration.

Mr. Alderman SALOMONS said, that seeing how well Gentlemen with University educations had argued against his proposal, he felt more sensible than ever of the great disadvantage which he suffered in not having had one himself. He still adhered to the opinions which he had expressed, but in deference to the feeling of the House would withdraw his Amendment.

Clause *withdrawn.*

THE CHANCELLOR OF THE EXCHEQUER said, there was a limited portion of the country banks who were in the habit, not of compounding for their issues, but of paying stamp duties on their notes. Those persons would be under a certain disadvantage if at any time they should wish to compound for the rest of their notes. He had, therefore, prepared a clause which gave power to the Treasury to make those banks such compensation as might be fair on their stamped notes yet in circulation.

Clause A (Compensation to Banks issuing Notes on Stamped Paper.)

"16. When any Bank which issues its Notes on Stamped Paper becomes a privileged Bank, and proves to the satisfaction of the Commissioners of the Treasury that it has paid a greater amount of Duty in respect to its Stamped Notes in Circulation than it would have paid if it had compounded for the Duty on such Notes, the Commissioners of the Treasury may make such allowance to the said Banks as they under the circumstances think just."

House *resumed.*

Bill *reported;* as amended, to be considered on *Thursday*, and to be *printed.* [Bill 123.]

PARTNERSHIP AMENDMENT BILL.

[BILL 52.] SECOND READING.

Order for Second Reading read.

MR. MILNER GIBSON, in moving the second reading of this Bill, said, it would be in the recollection of the House that, in the course of the proceedings of the present Parliament, his hon. Friend the Member for Birmingham (Mr. Scholefield) had introduced a measure for the purpose of amending the law of partnership. The object of that measure was to enable a person or persons carrying on business with unlimited liability to enter into partnership with others who should be liable only for a specific amount, those others being designated "limited partners." The measure contained various rules and restrictions which rendered it necessary that the Bill should have a great number of clauses, and it proposed to effect a very considerable change in the law of partnership. It was referred to a Select Committee, of which he himself was a Member; but, upon its being afterwards proceeded with in Committee of the Whole House, his hon. Friend found the difficulties in his way so hard to be surmounted—difficulties which usually beset the path of private Members in dealing with such subjects—that he abandoned the measure, an understanding having been come to between himself and the Chancellor of the Exchequer that the question should receive the serious consideration of the Government. Under those circumstances the Government had deemed it to be their duty to take the matter in hand, and it had occurred to them that the benefits to be derived from such a measure as that of his hon. Friend might be secured by another mode of proceeding of a simpler character, and one which would be attended by less alteration in the rules and principles of the law of partnership. The Bill which he was about to submit to the House had for its object so to relax the rule of law which laid down that a participation in profits constituted a partnership, as to enable a person to lend a firm carrying on trade a sum of money, on the condition that the remuneration for the use of that money should be in the form of a portion of the profits, instead of a fixed rate of interest. Under its provisions a person lending money on such a contract would stand in the relation of a creditor to the trader, and would not be constituted a partner simply because he received for his loan a share of the profits by way of remuneration for the use of his money. That was the proposal embodied in the first and principal clause. The second clause would enable persons to pay their servants as a reward for their labour, instead of a fixed salary, a portion of the profits of the business in which they happened to be engaged; while the third clause would entitle the widow or child of a deceased partner in any commercial house to receive a portion of the profits by way of annuity without thereby being constituted a partner. These were the three proposals which he had to make, but it was provided that the different parties whom he had mentioned—the lender of the money, the person who received a share of the profits as a reward for his labour, and the annuitant, although they should stand in the relation of creditors to the trader with whom they had had transactions, yet they should be "postponed creditors," and should not be entitled, in case of bankruptcy, to recover what was due to them until all the other creditors of the firm had been paid. He had adopted in this Bill pretty nearly the words which were suggested some years ago by the hon. and learned Gentleman the Member for Belfast (Sir Hugh Cairns). A Bill was at that time before the House to accomplish the object which he now had in view. It was a very cumbrous Bill, containing a great many regulations and restrictions, and the hon. and learned Gentleman the Member for Belfast gave notice of his intention to move the omission of all the clauses and the substitution of those which were, with the exception of a few words, the same as those of this Bill. Two of those clauses were to this effect—

> "1. The advance of capital or money to be used in any trade or undertaking upon a contract with the person carrying on such a trade or undertaking that the person making such advance shall be remunerated solely by a share of the profits of the undertaking shall not of itself constitute the person making such advance a partner in the trade or undertaking, or render him responsible as such.
>
> "2. A contract for the remuneration of the servant or agent of any person engaged in any trade or undertaking by a share of the profits of such trade or undertaking shall not of itself render such servant or agent responsible as a partner thereof."

The clause which was contained in the Bill now before the House with reference to the widows and children of deceased partners was an addition. He mentioned these facts to show the origin of the simple form of enactment which he had adopted, and to obtain from it the benefit of the authority of the hon. and learned Member for Belfast. When the right hon. Gentleman the Member for Calne (Mr. Lowe) introduced his comprehensive measure for authorizing limited liability to joint-stock companies, he at the same time brought in a Bill similar to that now before the House, and also adopted the form of words which had been suggested by the hon. and learned Gentleman. There were some words in the first clause which he should be prepared to omit from this Bill — namely, "or bear a share of the loss." He was informed by his hon. and learned Friend the Attorney General that those words were not necessary to the attainment of the object which he had in view, and therefore he should be willing to leave them out. It must be remembered that at the time that limited liability was given to joint-stock companies it was admitted that private traders carrying on business with unlimited liability could not be left under any restrictions which could properly be removed. It was recognized that these great mercantile associations, which were to have the benefit of limited liability, would come into competition with private firms and individual traders carrying on business with unlimited liability, and it therefore seemed reasonable that all the restrictions which could safely be removed from the operations of this latter class of traders should be got rid of. It was at the time contended that they ought to be allowed to raise capital in the best way that they could, and upon such terms on which lenders were willing to advance it. The argument that the repeal of the usury laws had enabled lenders to advance money to traders at any rate of interest they could obtain was not a sufficient answer to that appeal, because it was clear that a trader would rarely engage to pay a high fixed rate of interest, whether he made any profit or not, if he did he would not be acting as a prudent tradesman or taking a course which was likely to conduce to his commercial welfare. Now that great joint-stock associations had obtained, not as a matter of privilege, but as a matter of right, power to carry on business with limited liability, private partnerships had a right to claim some greater facility for raising money than a mere repeal of the usury laws, which, though right in principle, and productive of much benefit, was not of itself sufficient. What he proposed was simply this — that a lender should be allowed, without becoming liable as a partner, to advance money to a partnership carrying on business with unlimited liability, at a fluctuating rate of interest; in fact, receiving a portion of the profits in lieu of interest; and he could not see any difference in point of principle between an agreement of that sort and an agreement to receive a high rate of interest. It would be better for the creditors and it seemed in itself more reasonable that if a lender wished to assist a trading firm he should stipulate to be paid a portion of the profits, so that he should receive no interest when no profits were made, and a high rate of interest when large profits were earned. That seemed to him to be a fair and reasonable bargain, and he did not see why the law should deter persons from entering into such arrangements by making them liable to the debts of the firm to their last shilling; while if they advanced money at usurious rates—20 or 25 per cent—it allowed them, in case of bankruptcy, to rank with the rest of the creditors, and perhaps sweep away a large portion of the assets. That did not seem to him to be a reasonable state of things, and therefore he proposed that a mere lender upon the terms which he had described should not by that act alone be constituted a partner. Let the House observe that he was not in any way interfering with the general laws of partnership. If a man lending money to a firm was with his own knowledge put forward to the world as a partner; if he allowed his name to be used as a means of obtaining credit; if he was, in fact, the person who was trusted, then, although he was only a lender, he must be responsible for the debts that were contracted. But if he was a mere lender, if he was not known to the creditor when credit was given to the firm, he did not see upon what principle of justice he could be called upon, should the firm to which he had advanced money fail, to pay all the debts even to his last shilling. He believed that it was doubted by competent authorities whether the law laid down in the case of "Waugh *v.* Carver," which established that participation in profits constituted a man a partner, was not erroneous. He had a high authority to cite in support of his assertion. When Mr. Baron Bramwell, then Mr. Bramwell, was examined before the Mercantile Laws Commission he said that he should have thought that nothing could have been conceived more contrary to law than the rule which was laid down in that case, but that it had been so long received as law that it could not be changed without legislation. What he was now proposing was, therefore, according to this high authority, not to change the principle of our law, but rather to restore the law to what in his opinion it ought to have been held to be. It appeared to him that permitting persons to advance money upon condition of receiving a share of the profits, without thereby becoming liable to all the debts of the concern, might be of great utility in enabling assistance to be given to clever, prudent, and industrious men who had all the qualities necessary for the advantageous and safe administration of capital, but had not the capital itself. Now, he thought that it was good policy—it certainly was the policy which lay at the root of recent legislation with reference to limited liability—as far as you could with safety to the public to facilitate the bringing of capital into conjunction with talent, prudence, and industry, thus enabling men who possessed those qualities legitimately and properly to acquire wealth and raise themselves in the social scale. He therefore thought that on moral grounds, and as a matter of public policy, the proposed change should be made. With regard to the second clause, he thought it a very reasonable thing that an employer should as a reward for labour pay a portion of profits either in addition to or in lieu of wages. He was told by those learned in the law that an employer might pay a servant a sum calculated in proportion to profits as a reward for his labour; but for his part he could not see the distinction between a percentage on profits and a portion of profits. What public policy could there be in preserving such a distinction? It appeared to be a sort of trap. Men really acting from the best motives in giving their servants an interest in their business, and paying them in the most legitimate manner, felt uneasy under the present state of the law, and therefore he was of opinion it would be good policy to get rid of this distinction. Mr. Anderson had stated before the Mercantile Law Commission that a mercantile house sending out a traveller might agree to give him a certain salary and £10 for every £100 of profits made by the firm; that was no partnership; but to agree to give him one-tenth of the profits, which would be the same amount, would constitute the traveller a partner. That state of the law should not continue. On grounds of general policy it was very desirable to remove all doubts in this matter, and enable employers and employed, if they thought proper, to make such contracts without any fear under the law of partnership. Too sharp a line was drawn between employers and employed. Strikes and turnouts frequently arose from an exaggerated view of the profits of capital; and the more the system proposed was acted upon, giving the labourer in reward for his labour a portion of the profits, the more likely would correct views on this subject prevail, and the less likely would strikes and turnouts become. He therefore thought the measure now proposed was politic, and might be productive of in this way some advantage to the country. So, again, with regard to paying a portion of profits by way of annuity to the widow or child of a deceased partner. The Attorney General would tell him that even a fluctuating annuity would not necessarily entail liability. But if it were dependent on profits, probably the widow or child would thereby be constituted a partner; but, whether that was established law or not, this Bill would put an end to all doubt, and enable this most reasonable thing to be done, that the widow or child of a deceased partner in a mercantile house might receive a portion of the profits by way of annuity without any question arising as to whether the widow or child were constituted a partner. In the case of "Waugh *v.* Carver" Chief Justice Eyre said—

> "This case has been extremely well argued, and the discussion of it has enabled me to make up my mind, and removed the only difficulty I felt, which was whether, by construing this to be a partnership, we should not determine that if there was an annuity granted out of a banking-house to the widow, for instance, of a deceased partner, it would make her liable to the debts of the house, and involve her in a bankruptcy; but I think this case will not lead to that consequence."—[2 *H. Bl.* 235.]

To this, however, a note was appended to this effect—

> "Provided the annuity be not dependent on the profits of the business."

This Bill would put an end to all that doubt. It had been stated that there was a great difference between a fluctuating and a fixed rate of interest, and it might be very well to deter men from contracting for the one and allow them freely to adopt the other. It could be shown, however, that the necessity of traders in trouble having recourse to the advance of money upon high fixed interest had more than anything else been disadvantageous to regular creditors, and generally, as he was informed, these advances, which might be made under the usury laws, were, in fact, too often the precursors of bankruptcy. He had a letter from a solicitor in extensive practice in connection with bankruptcy, who said—

> "I know many cases in which persons have lent traders large sums of money at exorbitant rates of interest, and when bankruptcy or insolvency has followed, as usually happens in these cases, the lender has proved the whole amount of the debt and interest against the debtor's estate in competition with *bonâ fide* trade creditors; but I know of no case in which money has been lent so colourably, so as to insure the lender a share of the profits, without incurring the consequences of partnership. In fact, where money is lent at high rates the lender takes good care to steer clear of any suggestion or suspicion of participation of profits, lest the debtor should turn round in any subsequent stage, disclose the secret arrangement, deprive the lender of his claim to rateable payment with the other creditors, and render him liable to pay the debts of the secret partnership."

That was from Mr. Lawrence, of Old Jewry Chambers. How much better it would be if the loan in these cases had been made under the provisions of this Bill—namely, upon profits with postponement until all the *bonâ fide* creditors were paid? He had another letter from an eminent Liverpool house. The writer said—

> "I cannot remember how many cases I have met with in which the parties have wished that a capitalist should advance capital into a business, and receive a share of profits, without incurring the liability of a partner; but men in business are now so familiar with the actual state of the law on the subject that the number of times which an attorney has been consulted upon such a subject will form no sure criterion of the number of times that the difficulty has been felt, as in most cases the parties themselves would know that what they sought to do was impracticable. The course which in my experience has been taken to get rid of the legal difficulty in those cases in which the transaction has not been abandoned altogether has varied according to the circumstances. I have known the difficulty disposed of in the following different ways:—By an ordinary partnership, with stringent restrictions on the working partner for the protection of the moneyed partner; by the formation of a small joint-stock company, with limited liability; and by a loan, at a high fixed rate of interest, secured according to the circumstances of the case. I have also met with cases in which the agreement has been entered into, and the secret partner has sought to protect himself by a refined distinction, recognized by some of the cases, between taking a share in the profits, which would make him liable as a partner, and taking a sum of money in proportion to the profits (whatever that may mean), which has been held not to constitute a partner."

He thought it was much better to provide a straight and proper mode of entering into these contracts rather than drive people to this indirect and circuitous mode of proceeding. This measure had been frequently approved in one form or another by Parliament. The right hon. Member for Calne (Mr. Lowe) succeeded in getting the House to read his Bill two or three times, and it failed only because there was some amendment introduced in Committee which he thought would be so injurious to the measure that it was not worth while to proceed with it. Though he was sorry to find the Bill now before the House was threatened with opposition at the second reading, he hoped the House would now do what had been so frequently done before —namely, to affirm the principle that a man may lend money and receive remuneration by a fluctuating instead of a fixed rate of interest without incurring unlimited liabilities. If the House was not satisfied with the other provisions of the Bill, it would be quite competent for the Committee to make Amendments. He did not profess to have that knowledge of the law which would entitle him to say that the Bill drawn at the Board of Trade was perfect in all its parts, and he should be most happy to take the advice of those who by their experience were competent to judge of the practical working of the measure. What he asked the House to do was to agree to a sound and salutary principle. He knew that hon. Gentlemen might raise objections to the Bill and say that a person might lend his money to a trading firm, that he might receive profits when profits were made, but when days of adversity came he would take good care to get out of the concern and defeat the object the Bill had in view. It was easy, however, to meet this objection, and it only referred to matter of detail. It was easy to provide for such dangers by merely putting in words to the effect that money so advanced, if withdrawn within a certain period before the bankruptcy, should be paid back; or that the money advanced should be for a fixed period. He believed, however, the present law of Bankruptcy provided a remedy for that case. He confidently placed the Bill in the hands of the House, and begged leave to move that it be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Milner Gibson.*)

MR. JOHN PEEL said, before moving the Amendment of which he had given notice, he wished to explain his objections to the Bill. In the first place, he could not assent to the declaration in the preamble, "that it was expedient to alter the law relating to partnership." He believed there was no part of the world in which such great facilities existed for the transaction of commercial affairs as in England, where capital found its way so readily into channels of enterprize, and where credit was so extended, and at the same time founded upon such great security. The present law of partnership was one of the main props upon which our present healthy credit system had been erected, and he could not find out that there was any important portion of the commercial community who desired an alteration in that law at present. He had taken great pains to ascertain the opinions of men engaged in commerce — bankers, merchants, and manufacturers, and he found among all those whose judgment was entitled to respect the greatest apprehension of the consequences that would ensue from the adoption of the principle of limited liability in private partnerships without most ample publicity. He also believed that the present moment was particularly inopportune for any speculative alterations in our Commercial Code. It would be better to leave well alone at present. He wished to make a few observations with regard to the first clause of the Bill, which, in fact, embodied its principle. If the House were to adopt that clause, the remainder of the Bill must pass as a matter of course. There was a good deal of ambiguity as to the wording of the clause, and "lender" was made use of instead of the old word "partner." So far as he could understand the clause its object was to enable two persons to associate themselves for the purpose of carrying on a trade or calling under a contract by which one should provide the capital and the other contribute his skill and knowledge with his personal attendance to the furtherance of the common object. That each should participate in the profits or losses, and while the working partner should be subject to all the responsibilities of a partner, as under the present law, the person who furnished the capital should have no further risk than the loss of the capital which he originally put into the concern. There was no provision for any publication or registration of the partnership, so that as far as the public were concerned the contract might be a perfect secret. This would be productive of very evil consequences, and a probable result would be that cases of this kind would occur:—A scientific person, or a man of mechanical skill, would invent some improvement in the manufacture of a commodity, but not having sufficient capital to carry out his plans he would invite the co-operation of a man of capital, and make a contract with him that money should be provided sufficient to carry on the business for a term of years. During that period supposing the business to be eminently successful, the capitalist would be never named, but the business carried on in the name of the inventor, the ostensible sole proprietor. Being so successful, every one would be anxious to give him credit and supply him with the articles which he required. His credit increased, at the end of the term of the contract the monied partner would withdraw his capital and retire. The working partner, very naturally seeing that he could get any amount of credit, would think he could get on without capital, and continue the business as before. The credit would have been given in the belief that the working partner was in the possession of all the accumulated profits obtained during his successful operations. A slackness might occur in the demand for the article which he manufactured, and he would go on for a while with the hope that trade would revive, and avail himself to the utmost extent of the credit which people were willing to give him. Trade not mending work would be stopped, he would be obliged to call creditors together, tell them he was unable to meet his engagements, and the creditors would then find for the first time that, instead of gaining largely from year to year, he had had all this time a vampire on his back in the shape of a monied partner who, after sucking his life blood, left him a mere skeleton. This was one of the results which was likely not unfrequently to happen under the operation of such a Bill as that before the House. It was most probable that the Bill would also have the effect of leading to ruinous speculation and over-trading. It was obviously the interest of the monied partner in any concern at present to exercise continual supervision over those who had not the same capital as himself, and to exercise a salutary control over those who might be more energetic and speculative than prudent, and the result was that in very few instances firms of that kind came into difficulty. If this Bill passed the interest of the capitalist would be exactly the reverse—namely, trading to the utmost extent, and encouraging the working partner not only to avail himself of the capital he had advanced, but to stretch his credit to the utmost, and that for the sake of making the annual profits as large as possible. It was quite probable that during a few years of prosperity the capitalist might take out five or six times as much as he had advanced, and if bankruptcy came his loss would be small, while many of the creditors would be involved in a common ruin. This, he believed would be a certain result of the Bill. It would, in addition, open the door widely to deliberate fraud. He would be sorry to give instances which he might readily adduce, lest if the Bill passed they might be adopted as suggestions. In times of panic, which we must expect occasionally, he was afraid that the distrust which prevailed on those occasions would be greatly increased by the suspicion that every man would entertain of his neighbour, that he might have some unseen partner taking the profits unknown to the public out of the concern. He thought he had said enough to show that this Bill was pregnant with mischief and danger, and he should not be doing his duty if he did not do all in his power to oppose it. He therefore begged leave to move that it be read that day six months.

Mr. J. A. TURNER, in seconding the Amendment, said, he wished to explain that he had no objection whatever to the principle of limited liability. He believed that under that system many extensive businesses, both in banking and mercantile operations, had been carried on, which would never have been contemplated under another system. He thought that great advantages had been derived from the establishment of limited liability in joint-stock companies, but the confidence of the public had been given to those companies mainly by reason of the system of registration and publicity of accounts which were required of them. But under this Bill nothing of the kind was provided for, and the public would be perfectly ignorant as to the position of any concern which might have a sleeping partner, or rather a sleeping lender of money. He would have at all times—without the creditors being at all aware of the fact—the opportunity of taking from the profits of the concern with which he was connected a large proportion of the profits for which no doubt he would bargain when he was lending his money—a proportion which would not only represent the capital he had advanced, but ultimately the whole of the capital itself. In the course of a few years, if the concern should fail, the creditors would find that they had been left in the lurch, and that the capital had to a very great extent been withdrawn by the lender who had, in reality, been an exhausting creditor. He, therefore, disapproved of the Bill. The Manchester Chamber of Commerce had intrusted him with a petition against the Bill unless the principles of registration and publicity were provided for in the clauses.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. John Peel.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. SCHOLEFIELD said, it had been his duty to introduce in two Sessions of Parliament a Bill founded on the same principle, and he thanked the right hon. Gentleman for having introduced a Bill which he (Mr. Scholefield) thought would be so efficient and simple as the one now before the House, and which he believed was a better Bill than his own. The present Parliament had on several occasions affirmed the principle of this Bill, and therefore he had been in hopes that the hon. Member for Tamworth (Mr. J. Peel) would not have felt it his duty to have moved the Amendment which he had done. All the objections which had been offered to the Bill were objections not so much to the principle of the Bill as to its details, and he thought, therefore, that the hon. Gentleman would have done well to have allowed the Bill to go to a Committee. The hon. Member for Manchester was anxious that there should be publicity in regard to the names of those who lent their money on the ground that they shared in the profits, but he (Mr. Scholefield) wanted to know why a man who lent his money on the ground that he should share in the profits of a concern should have his name registered any more than a man who lent his money out at 5, 6, or 7 per cent. If a man lent money on condition of his receiving a return from the profits, he would not be paid in case of the insolvency of the man to whom he had lent that money until the demands of the other creditors had been satisfied; whereas, if the money were lent at a fixed rate of interest, the world knew nothing of the transaction, and the man who lent the money would share with the other creditors in the estate, and would in many cases receive the largest amount. The law as it stood at present did not depend upon the deliberate decision of the Legislature at all. It was not governed by statutes, but by the decision of one particular Judge, and the correctness of that decision had been questioned by many of the first lawyers in the kingdom. He believed that this measure would effect a great improvement in the law, and he therefore hoped that the House would proceed with the second reading.

MR. MOOR said, it was clear that the second clause of the Bill did not govern the case of the servants or the widows and the children. As it was at present drawn he believed it would be a dead letter. He did not think it likely that any person who risked money to a trader in difficulties, with a right of receiving a rate of interest for the profits, would do so if he were bound by the penalty contained in the second clause, and in the present state of the law a man advancing money under these circumstances would exact 20, 30, and even 50 or 60 per cent, while cases constantly arising in our Law Courts proved that this was actually the case. Such a person would be entitled to receive, to the detriment of the trade creditors, 50 or 60 per cent. In such a case was it likely that a man would lend his money upon the fair chance of receiving a rate of interest out of the profits of the trade when he knew that if the trader failed he would have no chance of receiving a sixpence? He did not object to the principle of the Bill, and in much that had fallen from the right hon. Gentleman as to the benefits that had flowed from limited liability he quite concurred; but he would suggest that a proviso should be attached to the first clause to the effect that every contract for a loan of money to a trader, upon a certain rate of interest out of the profits of trade, should be registered. In the absence of such a proviso they would be opening the door to a large amount of fraud. It had been stated that registration would be useless, because the person who lent the money would not be known, but he only desired that the fact should be registered.

MR. CAVE said, it appeared to him that the opponents of the Bill based their objections to it on the ground of the uncertainty of the commercial transactions that would be effected under it. But if that uncertainty were great under the principle of limited liability, what, he asked, was it now under that of unlimited liability? He reminded the House of the vast number of failures they had had recently, and of the unlimited confidence reposed in many of those firms up to the very moment of their failure. When they remembered the failures of banks such as Hammersley's, Paul, Strahan, and Co.'s, and a still more recent instance, there could be no doubt that under no system that could be adopted could the public be more misled. With such facts before them, surely this proposed addition to the law of limited liability need not frighten them much. He was a Member of the Select Committee on the Bill of the hon. Member for Birmingham. After considerable labour that Committee left the Bill more complicated than they found it. He thought the present a more simple Bill, and, as confessed by the hon. Member for Birmingham himself, a better Bill than his own —and for this reason, that it did not deal with the law of partnership, but simply allowed a man to lend his money at a fluctuating rate of interest according to profit. What charm was there in a fixed rate of interest? During the existence of the Usury Laws there might be some reason for such a thing, but it had now disappeared. Surely an exorbitant fixed rate was far more oppressive than a varying rate. It would be small consolation to the creditors of a bankrupt's estate to find that the bankruptcy was owing to a fixed rate of 80 per cent for a portion of borrowed capital, as in a case before the court the other day, it was proved that a bankrupt had paid £130 upon a loan of £22 10*s*., the whole of which was nevertheless still due. The public would not be deceived by this change in the law, they gave no credit to the lender, they trusted A and B, partners, on account of their reputed means, and they derived additional security from the borrowed capital of C, which was under this Bill postponed, to all other claims. Those who insisted upon publicity and registration would defeat the object of the Bill, and would expose the public to a danger of thinking they had a better security. If there were publication of lenders the public would associate the credit of the lender with that of the trader, and thus would be liable to be deceived. He agreed with the hon. Member for Brighton in thinking that the Bill would not be acted upon in a great many instances, but at the same time it would not be altogether a dead letter, as many respectable persons would be very glad to assist a rising trader or clever inventor with a certain amount of money when they ran no risk of losing their whole capital. The only objection, perhaps, that could be raised to the second clause was that what it proposed was already the law; but, as some doubt existed as to this, it was only fair to make the Act declaratory in that respect. Payment of workmen by a share in profits, was becoming more and more the practice, and among other recommendations was this, that it was a remedy for the unfortunate strikes of which they had lately heard so much. He had some doubts as to the third clause, whether it would be for the advantage of widows and orphans to be paid according to profits, and thought that it would be better to leave out that clause in Committee. On the whole, he heartily supported the principle of the Bill.

Mr. BAXTER said, that the arguments of the hon. Member for Tamworth were the same which had been urged against extending the principle of limited liability to joint-stock companies. The questions of registration and publicity were questions for consideration in Committee, and did not affect the principle of the Bill. He could not agree with the hon. Member (Mr. Moor) who had said that the Bill would be a dead letter. On the contrary, he thought it would be extensively acted upon, and would be productive of the greatest advantages to the commercial community. A great change had taken place in public opinion as to the principle of limited liability, and now in the north, the whole mercantile community were in favour of it. He was prepared to give the Bill his cordial support.

Mr. HUBBARD said, he ventured to surmise, notwithstanding the opinions which had been expressed by the right hon. Gentleman and others to the contrary, that the object of the Bill was to alter the law of partnership in a most material point, in a point which had been hitherto accepted as constituting the true test of partnership. The whole of the law on that point would be impaired by the Bill as it now stood. The right hon. Gentleman said that the measure was intended to bring together capital and skill, to raise a competition against large corporations and trading companies, and to avert strikes. How it was to avert strikes he could not see, and he could neither admit that a stimulus to competition was required, nor that any fresh means for bringing capital and skill together were necessary, as there never was a time when capital and skill were on such cordial terms. The terms in the Bill were very vague. A lender might be a mere lender of capital to another, or a capitalist employing his servant, or a principal employing his agent. In either of those cases he might take a lion's share of nine-tenths of the profits, and leave only one-tenth to his agent or servant. If the business went on well the arrangement proposed in the Bill would be perfectly satisfactory, because there would be profits to share; but suppose there were no profits at all? He wished to know how the lender would be satisfied in that case. As to inspection of accounts, the very essence of the proposal was that the lender was to be a sleeping partner, and no sensible man would allow himself to be put in a position in which he was asked to rest satisfied with statements as to the accuracy of which he had a right to obtain information. He looked on the Bill as mischievous, not merely as touching the law of partnership, but as affecting the law of principal and agent. That was a most important commercial law, and if they impaired that which was the test of a man being a principal they would destroy that law altogether. He was, therefore, at a loss to know how the right hon. Gentleman reconciled this Bill with the law of principal and agent. This Bill destroyed that law and substituted one which had no countervailing advantages. Under it the capitalist or principal might, the moment an undertaking was going wrong, take all his capital away; and the expectation that the creditors would reap the benefit of his contributions would prove quite illusory. He must deprecate a change which he thought would operate most detrimentally on the character of our commerce. It was argued that if a failure took place the creditors would be better off, because they would have the money of the lender. But how were they to get at it? There was no provision to compel the lender to leave his money in the concern a single day. It was said that the Bill was opposed by great capitalists; but if there was one point on which he felt more confident than on another, it was that those who opposed that measure did so in the interest of the community at large, and not of our great capitalists. If the Bill passed it would be easy for men of large capital to set up servants and agents and themselves direct their operations from behind a screen, reaping the profit as long as things went on smoothly, but withdrawing their money from the concern when they saw insolvency appproaching, but before bankruptcy was declared. It was asked why, if one man had skill and another capital, they should not be allowed to come together upon any terms they chose? There could be no objection to any arrangement which concerned themselves alone, but if a third party is brought into their transactions, if they incur liabilities, if they obtain credit, ought not the creditors to be considered? If losses were made, who ought to bear them? Ought it not to be the man who had conducted the business, or the man who had received the profits, rather than the creditor, who had given a perfect consideration for his claim? For these reasons he should cordially support the Amendment.

THE ATTORNEY GENERAL said, he was always glad to receive instruction from Gentlemen conversant with the practical operation of the law of partnership; but perhaps those hon. Members did not speak with equal authority when they referred to the principles of the law. The effect of the Bill as regarded the law of principal and agent was quite the reverse of that described by the hon. Gentleman who had just sat down. It would repeal an arbitrary law, established by judicial authority alone, which did interfere with the law of principal and agent. The law of principal and agent was that a man should be held responsible for contracts which he authorized another to make on his behalf, but not otherwise. Then, putting aside the arbitrary decision in the case of "Waugh *v.* Carver," he asked—did the man who lent money to be repaid with interest according to a fluctuating rate out of profits really authorize the borrower to bind his whole fortune by any contract which he might make? Clearly, nothing could be more foreign from his intention than to give any such authority; and the court of law which said that he should not lend money without being taken to give that authority interfered with the natural course of mercantile transactions, and virtually prohibited them by imputing to them a false character and intention. The principle on which the Legislature had hitherto proceeded in altering the law of partnership and introducing limited liability had been that of leaving the parties free in mercantile matters to make such contracts as they pleased, and not by arbitrary legal rules to circumscribe the range of contracts which had nothing evil in themselves. As long as a man knew what he was about let him do it. If A knew that B did not undertake to be responsible to him beyond a certain limit, that was his affair; he knew whether or not it was worth his while to deal on that footing. Many unsuccessful undertakings might be started on the principle of limited liability, and he confessed that when the principle was first introduced he looked upon it with jealousy, but experience had shown that the principle of limited liability had extended itself, and was practically successful in the mercantile world, as applied to companies, and why should it not be extended to other contracts? The simple question was, would they allow a man to lend money to a borrower on the terms which they might arrange between themselves? If the law did not interfere the transaction would not make the lender a partner. Then, why should they interfere to make him so? It was said they might mislead those who became creditors of the concern. But this was a transaction the creditors knew nothing about. To whom did they give credit? They gave credit to the man carrying on the business, and to the business he was carrying on; and the Bill did not take away or limit the liability of the person to whom they gave credit. His property was made liable to the trade debts before any part of it could be applied in repayment of those who lent him money on the terms described in this Bill. The object of the Bill was to prevent the arbitrary interference of law with the actual meaning of contracts made by parties. It was said there might be evasion, and that if a lender saw danger he might require repayment of his advances, and so withdraw the means which the trader had of carrying on business. But the law of bankruptcy, to a certain extent, provided against that. If, however, the House thought any further safeguards should be introduced they might be introduced in Committee. Nothing could be more irrational than the present state of the law. No practical man could understand the distinction between a loan for remuneration in the shape of interest in proportion to the profits, and a loan of which the interest was to be paid out of the profits. Could anybody but a lawyer follow that distinction? Every writer who had referred to this part of the law had condemned it, and its maintenance surely could not be essential to our commercial prosperity.

Mr. BOVILL said, that the law was not quite so unreasonable as had been stated by the Attorney General. The principle of the law was perfectly intelligible—namely, that a man who took the benefit should also sustain the loss. Every merchant and every lawyer would concur in that principle. It had been said over and over again that this was a Bill to establish limited liability. He was not opposed to the principle of limited liability, but the object of this Bill seemed to be to absolve persons from all liability; in fact, it might be designated as a Bill to enable capitalists to commit frauds on the public. By its provisions a capitalist might place £10,000 in the hands of a person of skill, agreeing to remunerate him with £500. Large and gradually increasing commercial transactions might be carried out, and so long as they were prosperous the capitalist might draw out all the profit beyond the £500; but let the reverse be supposed, let there be a loss, the capitalist would withdraw his contribution, would be absolved from all liability, and leave nothing for the creditors. It was a mere farce to say that the capital could not be withdrawn. The Bill provided for no such thing. If an example were required he would refer to the large cotton speculations lately carried on in India. It had been said that the House had in two previous Sessions approved the principle of the Bill. In the Bills of 1862 and 1863 safeguards were provided, but the House was asked to read this Bill, and then send it to a Committee, and leave them to make such insertions as they chose; but against that course he protested. According to the Bill, a man who subscribed £10 or £10,000 might sweep away the whole of the profits and leave the ordinary creditors without any remedy. In the Bills both of 1862 and 1863 provisoes had been introduced for the protection of the public, which were omitted from the present measure. There were in those Bills clauses which provided that all partnerships should be registered, and that no partner should withdraw his capital unless the debts were paid; but the present measure contained no such clauses. It would simply enable capitalists to lend money and reap the advantage without incurring any portion of the loss in the event of failure. His hon. and learned Friend the Attorney General said that credit was given not so much upon the security of a name as upon the security of a business; but that security was utterly fallacious if the capital could be withdrawn and nothing left for the creditors. He repeated that all the securities contained in the former Bills were removed from the measure then under the consideration of the House.

MR. MILNER GIBSON said, that the House had twice assented to the second reading of Bills precisely the same as that they were then discussing.

MR. BOVILL: The Bill, when it had first been introduced, had been read a second time and had then been abandoned; and it had, upon a subsequent occasion, been referred to a Select Committee, who had introduced into it a number of Amendments which had been struck out of the present measure. It was said that this was a very slight alteration of the law, but he could not regard it in that light. He contended that the Board of Trade were bound, before introducing the Bill, to see that it contained those guarantees for the safety of the public which were recommended by a Select Committee of the House, and which it contained when introduced by private Members. In the interest of the public he should feel it his duty to give to such a proposal the most decided opposition; and he should cordially support the Amendment of the hon. Member for Tamworth.

THE SOLICITOR GENERAL said, that the object of the Bill might be very briefly stated. It was to distinguish between lenders to a firm and members of a firm. To a certain extent the law distinguished between them now. If a man lent money and received for it a fixed rate of interest, he was not liable for the debts of the borrowers; but if, instead of a fixed interest, he received a share of profits, then he was liable, although he never was, and never intended to be, a partner in the concern. As the law at present stood, it made some lenders partners in spite of themselves, and in spite of the truth of the transaction. That was a defect which the present Bill was intended to remedy. It separated the lender and his liabilities from the partner and his liabilities. If, as his hon. and learned Friend (Mr. Bovill) had urged, in illustration of his objections to the operation of the Bill, a man should advance a sum of £10,000 for the purposes of trade, and should pay a man £500 a year to carry on that trade, he was in reality the trader, and would therefore be responsible as such. The case adduced by his hon. and learned Friend had, therefore, nothing to do with the present question. Assuming that a man who advanced £10,000 was a real lender, where was the distinction between a man lending that sum at a fixed interest, and his doing so for a portion of the profits? The same argument was applicable in either case. The present Bill would define who was really a lender and who was really a partner, and would make clear that which at present was in a great degree confused. Every single inconvenience which his learned Friend had supposed was as applicable to, and was as likely to arise under the present state of the law as under this Bill. The whole subject really lay in a nutshell. The Bill would make a great improvement in the present state of the law, and he hoped the House would pass it.

MR. THOMAS BARING said, he agreed with the Solicitor General that the question lay in a nutshell, and the nutshell was this—should a system of trade be established in this country, under which a man should be enabled to get any amount of credit he chose, to trade to any extent, and when a time of misfortune came, should be able to withdraw his capital and leave the public to bear the loss, by turning round and saying "I am not a partner but a lender." The system of trade hitherto had been to inculcate on our traders that everything depended on their integrity and prudence. A man in trade hesitated now before he rushed into speculation, because he knew that he would risk the whole of his capital and his future prospects, and it was this knowledge that had made the British merchant prudent and calculating. It was true that you could not even under a system of unlimited liability get rid of all frauds, but this was no argument against the adoption of every necessary precaution. Two-thirds of the trade of the country were carried on upon credit, and this rendered necessary all the safeguards which could be provided against plans to deceive the creditor. The commercial system of this country drew a distinction between limited liability in individual private partnerships, and from the same principle in great concerns which could not be carried on by individuals. The latter had always been sanctioned in one shape or other by Act of Parliament, Royal Charter, or, lately, by the system of limited liability; but hitherto this House had always rejected proposals for applying the same system to individual partnerships. This measure was without any of the safeguards contained in former measures which had been proposed. It was, therefore, necessarily crude and imperfect and ought to be rejected. The Bill, in whatever shape it passed, was sure to give abundant employment to gentlemen of the long robe. If safeguards were not to be maintained because their existence did not insure against fraud, then on the same principle policemen ought to be dispensed with in the City as they were unable to put down burglaries. This measure did not give the protection which was afforded to creditors in other countries; it would not clear up the law, but would rather introduce further confusion; it would lead to great difficulties in carrying on the commerce of the country, and he hoped it would not be sanctioned by the House.

Mr. GOSCHEN said, the latter argument of the hon. Gentleman rather showed that jewellers' shops should not be permitted in the City because they were incentives to crime, and the opponents of the Bill seemed to argue on this principle when they said that there was so much fraud that business of this kind could not be carried on at all. The opponents of the Bill wished to prevent the English trading public from doing what they liked with their own. It was poor testimony to the honesty of British capitalists to suppose that there would be a rush of capital in the direction described by the opponents of the Bill, and that it would be advanced with a fraudulent tendency. This argument presumed, besides, a considerable amount of folly as well as dishonesty on the part of the capitalist, because if you were to trust £10,000 or £100,000 to a man who was to deceive the public you must assume, for the success of such a collusion, that he would assist you in defrauding others, but would not assist others in defrauding you. He doubted whether a man of this kind would be able to impose upon the sharp money-lenders of London. If capitalists and men of straw desired to collude and deceive they had ample means of doing so at present. Did they not hear of many men with £5,000 or £7,000, getting credit to the amount of £200,000 or £300,000? It was the public and not capitalists who were really anxious to have the Bill passed. The question really amounted to this—whether a contract should be allowed to be made freely between two men or not. He believed that the proposed system would not lead to fraud in the way suggested, and that the managing partners would not allow those who advanced their money to share in the profits without sharing in the losses. Fraud there always was and would be; but a varying rate of interest was not more likely to encourage a disposition to fraud than a fixed rate of interest.

Mr. MALINS said, he must protest against the doctrines laid down by his hon. and learned Friend (Mr. Bovill) that the Bill was one under which the lender would incur no risk whatever, while he would share in the profits. This was certainly not the principle of the present Bill, because it jeopardized his capital the moment it was advanced. All the evils contemplated by the opponents of the Bill could be brought about by a loan of money at a fixed rate of interest. He had heard of a case in which the lender and borrower met every three months to fix the rate of interest to be paid, and it was increased or diminished in proportion to the amount of profits. That was doing indirectly what this Bill proposed to do directly. The arguments he had heard against the Bill were the old arguments which were used against limited liability, and it was one of the satisfactions he had that he did his best to establish that important principle for which he had contended. Capital and skill ought to participate alike, but there was great difficulty in bringing them together. The Bill of the hon. Member for Birmingham (Mr. Scholefield) was one to establish limited liability between ostensible partners; but the case now contemplated was one in which a man was not, in point of fact, a partner, but a lender of money. The evils which his hon. Friend the Member for Huntingdon (Mr. Thomas Baring) said would arise under this Bill existed at present to an extent which was discreditable. They all deplored the case of a bank which affected a Member of that House (Mr. Spooner), for whom they had great respect and affection. He alluded to a bank in the Midland Counties, which everybody for twenty years believed to be as good as the Bank of England. It came suddenly to a stop, creating great ruin in the district, and then it was discovered that it became insolvent twenty years ago, when the money partner drew out all his capital. The fact was, that under the present law there was greater facility for taking out capital in a firm than there would be under this Bill. Take a case, which had actually occurred, of an advertisement inserted in a newspaper, in which a person required capital to work a patent. A gentleman came forward, and the borrower said that it was a most admirable patent, and the gentleman agreed to lend the requisite amount on participating in the profits. Could any one say that such an arrangement was unreasonable; but could anything be more unreasonable than that if a man lent £500 for working a patent the man who was working the patent should be entitled to spend the last farthing of him who lent the £500? Was it not apparent that the lender intended to do no more than to authorize the spending of the sum advanced? He considered the Bill to be founded on the soundest principle, and that it was one of national importance. He was rather impressed with what fell from the hon. Member for Brighton (Mr. Moor). He was by no means certain that the Bill would be extensively adopted, but that was no reason why they should not adopt a sound principle. He gave its opponents credit for entertaining an honest and conscientious objection to it, but having as a lawyer and a man of the world considered the subject many years, he must give his opinion distinctly in favour of it, and should, therefore, vote for the Government.

Mr. Alderman ROSE said, he believed that the measure would aggravate the evils already felt by too great an extension of the principle of limited liability. The case referred to of the Bank at Birmingham would become the rule instead of being, as at present, the exception. At present, if a man had dealings with a limited liability company, he knew that each shareholder was liable only to the extent of his subscription, and the House might perhaps be surprised to know that, taking the whole list of limited liability companies, there were scarcely more than 10 per cent of them paying. It was now proposed that a man might withdraw money without liability, after receiving a large proportion of the profits of such company. In his opinion the present Bill was a monstrous misapplication of the principle of limited liability.

Mr. NEWDEGATE said, that allusion had been made to the failure of an eminent banking firm in the midland counties. Nobody regretted that failure and its consequences more than he did, but by what was it occasioned?—the withdrawal of capital unknown to the great body of creditors. This Bill would enable a sleeping partner to share the profits of a limited liability company without appearing before the public in the sense of liability for the engagements of the firm. It appeared to be totally overlooked in the debate that this sleeping partner, whose name might be used to enlarge the credit of the company, might withdraw everyshilling of his capital—after participating inthe profits—at a period which would enable him to walk off with most of the profits, while the unhappy creditors would have to divide the losses amongst themselves. Thus the effect would be that all the evils which resulted from the management of private firms would be extended to companies founded on limited liability. There had been great confusion in the debate. No one justified the law as it at present stood, the question really at issue was solely what remedy should be applied. The advocates of the Bill could not escape from the fact that they did not propose to register the lenders as well as the partners, those lenders being participants in the profits. They could not justify refusing to register the lenders who might contribute two-thirds of the capital, and he begged to ask the President of the Board of Trade why he had omitted any provision for registering these lenders, when he himself admitted that there ought to be a provision introduced to prevent the withdrawal of the loan of capital within a certain period of bankruptcy. The loans might be two-thirds of the capital. That point pinched the right hon. Gentleman very closely, and he could not escape from the argument, which compelled him to register the share capital of the company, and, if so, how could he justify the omission to register that portion of the capital, which would be contributed by lenders, who were to participate in the profits? There was, in fact, no justification for omitting to register the lenders, and therefore his advice to the hon. Member (Mr. Peel) would be to withdraw his Amendment, and in Committee to propose to register the loans; then he admitted they would approach something like an amendment of the law. Unless they introduced such a provision they would be practising a fraud upon the public, because companies might borrow to any extent, the lenders participating in the profits, and yet the creditors would not be able to touch one shilling of their property, not even to the extent of those profits. This Bill as it stood would only aggravate all the evils attending limited liability and introduce a general insecurity. The true remedy would be found in the registration of these loans, an issue which would not arise if a division were taken on the present Amendment.

MR. HENLEY said, that he differed from the Gentlemen who sat near him, because he did not believe that this Bill would either make dormant partners or sleeping partners. On the contrary, it expressly declared that lending money in a particular manner should not in itself create a partnership. Had the Bill proposed to create a new form of partnership, he would not vote in support of it as he intended doing. Whether the Attorney General was right in saying that the present state of the law was unreasonable to everybody but lawyers, he did not know, and time only could show whether the new state of things proposed would make it better or worse for them. The hon. and learned Member had stated truly that a great portion of the trade of this country was carried on upon credit, and year after year they passed laws to facilitate its operation. The best maxim for the present day was *caveat emptor*—they must give perfect freedom and let every one look out for himself. He thought it useless to mince matters, and he believed that to be the plain state of things to which they had come. He had heard a great many ugly words made use of during the course of this discussion, but having a very bad memory for such things he would not repeat them. He supposed pretty large profits had been made lately, and, although people objected strongly for it to be known that they were getting 60 per cent for their money, they had no objection to receive 100 per cent if they could get it. He did not believe that under the proposed system there would be a great deal of business done, because he did not believe that persons in ordinary circumstances, even for the sake of getting 30 or 40 per cent, would be induced to lend when there was a risk of not getting their principal back again. He did not think people would be over ready to lend their money to firms just on the verge of bankruptcy for the purpose of cheating the creditors by withdrawing their loans at the last moment. Whether the safeguards provided by the Bill were good or bad might be considered in Committee. The principle of the Bill he understood to be that a man should not be a partner because he lent money and took instead of interest a share in the profits, and he should vote for the second reading.

Question put, "That the word 'now' stand part of the Question." The House *divided:* Ayes 126; Noes 39: Majority 87.

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Monday* next.

AYES.

Acland, T. D.
Adam, W. P.
Anstruther, Sir R.
Antrobus, E.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baring, T. G.
Barnes, T.
Bass, M. T.
Bentinck, G. C.
Blake, J. A.
Bouverie, rt. hon. E. P.
Bromley, W. D.
Bruce, rt. hon. H. A.
Burrell, Sir P.
Bury, Viscount
Buxton, C.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Cave, S.
Cheetham, J.
Childers, H. C. E.
Collier, Sir R. P.
Cowper, rt. hon. W. F.
Cox, W.
Craufurd, E. H. J.
Davey, R.
Denman, hon. G.
Dillwyn, L. L.
Dodson, J. G.
Douglas, Sir C.
Duff, M. E. G.
Enfield, Viscount
Evans, T. W.
Ewart, W.
Ewart, J. C.
Fellowes, E.
Fenwick, E. M.
Fenwick, H.
Ferrand, W.
Fitzwilliam, hn. C. W. W.
Forster, W. E.
Fortescue, hon. F. D.
Fortescue, rt. hon. C.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W.
Goldsmid, Sir F. H.
Goschen, G. J.
Gower, hon. F. L.
Greenall, G.
Greene, J.
Grenfell, H. R.
Grey, rt. hon. Sir G.
Handley, J.
Hankey, T.
Hartington, Marquess of
Headlam, rt. hon. T. E.
Henley, rt. hon. J. W.
Henley, Lord
Hibbert, J. T.
Hodgkinson, G.
Horsfall, T. B.
Ingham, R.
Jackson, W.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E.
Layard, A. H.
Lefevre, G. J. S.
Lewis, H.
Lopes, Sir M.
Lowe, rt. hon. R.
Malins, R.
Martin, P. W.
Moffatt, G.
Moncrieff, rt. hon. J.
Montagu, Lord R.
Moor, H.
Morris, W.
Morrison, W.
Naas, Lord
Neate, C.
North, F.
O'Loghlen, Sir C. M.
Padmore, R.
Paget, Lord A.
Paget, C.
Paget, Lord C.
Palmer, Sir R.
Pease, H.
Peel, rt. hon. Sir R.
Peel, rt. hon. F.
Powell, J. J.
Powell, F. S.
Pritchard, J.
Proby, Lord
Robertson, D.
Roebuck, J. A.
Russell, A.
Schneider, H. W.
Scholefield, W.
Scott, Sir W.
Seely, C.
Seymour, A.
Shelley, Sir J. V.
Stacpoole, W.
Stanhope, J. B.
Staniland, M.
Stanley, Lord
Stansfeld, J.
Tracy, hon. C. R. D. H.
Trefusis, hon. C. H. R.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vyner, R. A.
Waterhouse, S.
Watkin, E. W.
Weguelin, T. M.
Whalley, G. H.
Williamson, Sir H.
Wood, rt. hon. Sir C.
Wyndham, hon. P
Young, G.

TELLERS.

Brand hon. H. B. W.
White, hon. L.

NOES.

Adderley, rt. hon. C. B.
Baring, T.
Beecroft, G. S.
Black, A.
Bovill, W.
Bramley-Moore, J.
Bridges, Sir B. W.
Bruce, Sir H. H.
Dalglish, R.
Dickson, Colonel
Edwards, Colonel
Egerton, hon. A. F.
Ewing, H. E. Crum-
Gray, Lt.-Colonel
Hamilton, Major
Hervey, Lord A. H. C.
Hennessy, J. P.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Heygate, W. U.
Hornby, W. H.
Howes, E.
Jolliffe, rt. hn. Sir W. G. H.
Langton, W. G.
Legh, W. J.
Liddell, hon. H. G.
Martin, J.
Murray, W.
Parker, Major W.
Pender, J.
Potter, E.
Rose, W. A.
Sclater-Booth, G.
Selwyn, C. J.
Smollett, P. B.
Taylor, Colonel
Turner, C.
Watlington, J. W. P.
Woods, H.

TELLERS.

Peel, J.
Turner, J. A.

CHELSEA-BRIDGE TOLL ABOLITION BILL.—[Bill 74.]—SECOND READING.

Order for Second Reading read.

Sir JOHN SHELLEY, in moving the second reading of this Bill, said, its object was to remove the toll as far as the foot passengers were concerned. The whole sum which had been advanced out of the Consolidated Fund for the construction of Battersea Park had been recouped; and the fund which remained was applicable to setting the bridge free. To the working classes especially this would be a great boon; as, since the improvements on the north side of the river, they had been obliged in large numbers to seek for dwellings on the south side of the Thames. One of many similar cases had been brought under his notice, in which a man living in a £20 house and paying £3 10*s*. taxes being obliged to cross Chelsea Bridge every day with his two sons, expended an amount which at the end of the year came to £3 18*s*., or actually more than all the taxes upon his house. The proposition of the worthy Alderman (Mr. Alderman Solomons) the Member for Greenwich to do away with the tolls upon metropolitan bridges generally went far beyond what the present measure asked for. It was not advisable that the Government should remain in possession of a toll-paying bridge, and he hoped the House would allow the Bill to be read a second time upon the understanding that by so doing they were not pledged to the principle, but that the measure should go to a Select Committee, with a view to devise some means for recouping the Consolidated Fund for the loss occasioned by the abolition.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir John Shelley.*)

Mr. BENTINCK said, it often happened that when those distinguished Gentlemen, the metropolitan representatives, came forward with financial proposals they were looked upon with some suspicion, because suggestions were made that might be beneficial to their constituents and injurious to the public purse; and he believed the present to be a proposal of that character. Some years ago, for the convenience of the locality in question, a sum of money was advanced out of the Consolidated Fund on the faith of tolls to be levied on the bridge. Until that money was entirely repaid there ought to be no diminution of the security so given.

Sir JOHN SHELLEY observed, that all the money had been repaid.

Mr. BENTINCK said, if that were the case the toll would at once cease. He desired to promote the interests of the working classes, but there might be another motive for the proposed change, and that was the increased value that would be given to the property on the other side of the bridge. He concluded by moving that the Bill be read that day six months.

Mr. BANKS STANHOPE seconded the Amendment, as he could not consent that public money should be taken for such a purpose.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Bentinck.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. COWPER said, the chief fault he found with the Bill was that it was too short. It consisted simply of one clause of only two lines, providing that, after a certain time, the foot toll should cease. It ought, he thought, to have an addition made to it, providing that the money which would be lost by the proposed abolition of tolls should be made good out of a local rate or some other local fund. It was quite clear that the Government could not support, as it stood, a measure which would entail a sacrifice of £96,000 to the public revenue, but if the hon. Baronet would consent to refer the Bill to a Select Committee—as a somewhat similar Bill had been—who might suggest some plan for recouping the money, he should have no objection to vote for the second reading, for he should be glad to see the poor relieved, as far as possible, from the necessity of paying these tolls.

Sir WILLIAM JOLLIFFE said, he could not understand how the right hon. Gentleman could vote for the second reading of a Bill of which, as it stood, he so entirely disapproved. He could not see how Chelsea Bridge could be placed in a different position from Waterloo or Lambeth Bridges, or why, if the poor were to be relieved from the payment of tolls in the case of the one, they should not be freed from them in the case of the others also. As for the plea that the working men would be benefited, was it not a fact that the moment the tolls were abolished the rents would be raised? The abolition of the toll at this one bridge was a jobbing piece of favouritism, which would place the House in an absurd position. He was decidedly against the payment of all tolls, but then he thought they ought to be abolished on some general principle.

Mr. HENNESSY said, he had to express his astonishment that the Chancellor of the Exchequer was not present to protect the public revenue. If an Irish Member were to ask for £96,000 out of the Consolidated Fund for the purposes of Ireland he would be looked upon by the right hon. Gentleman as a mendicant. There was not the slightest necessity for the Bill, which sought to effect for the metropolis, what the House would be loath to do for any other part of the Empire.

Mr. WHALLEY said, he thought the proposal of the First Commissioner of Works to refer the Bill to a Select Committee was a most reasonable one.

Sir JOHN SHELLEY said, it was his intention that the Bill should be referred to a Select Committee, when there would be an end of it if it was found that no means could be devised to refund to the Government the £96,000 in question.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 27; Noes 14: Majority 13.

Main Question put, and *agreed to*.

Bill read 2°, and *committed* to the Select Committee on the Metropolitan Toll Bridges Bill.

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, May 2, 1865.

MINUTES.]—Select Committee — *Report*—On Resignation of Mr. Edmunds.

Public Bills—*Second Reading*—Inclosure * (64) Pilotage Order Confirmation * (67); Herring Fisheries (Scotland) * (48).

Referred to Select Committee — Public Schools (32) [H.L.]

Committee — Courts of Justice Building (23); Courts of Justice Concentration (Site) * (59); Metropolitan Main Drainage Extension * (40).

Report—Courts of Justice Building (23); Courts of Justice Concentration (Site) * (59); Metropolitan Main Drainage Extension * (40).

PUBLIC SCHOOLS BILL—(No. 32.)

REFERRED TO A SELECT COMMITTEE.

The Earl of CLARENDON *moved* that the Order of the Day for the House to go into Committee on this Bill should be discharged with the view of submitting the measure to the consideration of a Select Committee. In the event of the Motion being agreed to, he would next move that it be an instruction to the Committee to hear counsel on behalf of certain petitioners against the Bill.

Motion *agreed to*.

Order of the Day *discharged*, and Bill *referred* to a Select Committee.

The Earl of CLARENDON suggested that the Select Committee should consist of the following Peers:—

The Archbishop of Canterbury, The Bishop of London, The Earls Granville, Derby, Devon, Stanhope, Powis, Ellenborough, Harrowby, Carnarvon, and Clarendon, and Viscounts Eversley and Stratford de Redcliffe.

The Earl of ELLENBOROUGH desired to be excused from serving on it.

Earl STANHOPE said, he did not rise to object to any of the proposed names, but he thought the system of nominating Committees without any previous knowledge on the part of the House of the list of the Members was most unsatisfactory. He suggested that the mode followed in the House of Commons should be adopted by their Lordships, and that Committees should not be nominated until after the names of the Members had appeared in print in the Business Paper of the House. He would on a future day bring this matter under the consideration of the House.

Earl GRANVILLE said, he thought it was desirable that some change should take place in the nomination of Select Committees of their Lordships' House, and that at least one days' notice should be given.

THE EARL OF ELLENBOROUGH said, that if it was intended to make the proposed alteration, the sooner it was done the better. He proposed that the appointment of this Committee should be deferred until after the alteration had been made.

THE EARL OF CLARENDON said, he would not ask their Lordships to name the Select Committee until Thursday next, and in the meantime he would give notice fo the names.

And, on Thursday, May 4, the Lords following were nominated of the Committee:—

His Royal Highness the Prince of Wales.
Ld. President.
D. Marlborough.
E. Derby.
E. Devon.
E. Stanhope.
E. Clarendon.
E. Carnarvon.
E. Powis.
E. Harrowby.
V. Stratford de Redcliffe.
V. Eversley.
L. Bp. London.
L. Lyttelton.
L. Houghton.

BANKRUPTCY AND INSOLVENCY (IRELAND) ACT AMENDMENT BILL—[BILL 65.]

COMMONS' AMENDMENTS CONSIDERED.

Commons' Reasons for disagreeing to a certain Amendment made by this House *considered* (according to Order).

THE EARL OF ST. GERMANS *moved* that their Lordships should re-consider their determination with regard to their Amendment in the second clause. This Bill had passed the House of Commons without a dissentient voice. Here it had been referred to a Select Committee, on whose recommendation a most important part of the second clause was struck out by a small majority. He hoped their Lordships would now allow the Bill to pass in the shape in which it came up to this House, and he would therefore move that they should not insist on their Amendment.

Moved, not to insist on the Amendment to which the Commons disagree.—(*The Lord Steward.*)

LORD CRANWORTH said, he wished to enter his protest against the course proposed by his noble Friend. The facts of the case were these—It appeared that in Ireland railway companies could be made bankrupts, whereas in England the law was otherwise. Upon the faith of the law being as he had stated, a certain party entered into a contract with a railway company, under the impression that if the company failed to pay him he could make it bankrupt. Now, the Bill had been introduced to assimilate the law of Ireland, so far as railway companies were concerned, to England. That he (Lord Cranworth) did not object to. The measure, when it left that House, proposed to alter the law as regarded prospective contracts only. The other House had, however, so amended their Lordships' Amendments as to make it have a retrospective action. Now it might be quite right to enact prospectively that railway shareholders should never be liable in this way; but by the recital of the Bill it was stated, and the Bill enacted, that they never had been liable. If their Lordships assented to the Bill as it now stood, he thought they would be acting discreditably as a House of Legislature. They would, in fact, be declaring that though they knew what the law actually was, it should be held to be quite the reverse. He thought that their Lordships would lower themselves in the estimation of the country if they assented to any such proposition. He would therefore move that their Lordships insist on their Amendment.

LORD ST. LEONARDS entirely agreed that it would be contrary to all principle that a retrospective Act should take away the rights of an individual to a certain remedy, and he should support the Motion of his noble and learned Friend.

THE MARQUESS OF CLANRICARDE said, that the existing law left the whole of the railway companies of Ireland completely at the mercy of any of their creditors. That was a monstrous injustice as far as the sister country was concerned The fact was that the Legislature, he believed, never intended to give any such power to creditors over railway companies, and that it was a mere oversight in drawing the Act. He believed that the party to whom his noble and learned Friend had referred had not been deceived. He believed that he had entered into the contract not knowing that he had the power of making the company bankrupt; but afterwards found his mistake and discovered that he could proceed against the company in bankruptcy. He did not admit that there was any mis-statement in the recital. He hoped their Lordships would accept the Bill as it had been returned to them by the Commons.

EARL GRANVILLE said, that he had heard no satisfactory answer given to the Reasons assigned by the Commons for objecting to this Amendment. Some hardship was probably to be apprehended on both sides; but it never could have been the intention of the Legislature in 1857 to do that which now seemed to be contemplated by the words of the Act.

THE EARL OF DONOUGHMORE said, that the contractor in question alleged that he had obtained various opinions, and thus became aware of the liability of railway companies in Ireland to bankruptcy. That being so, it would not be right to take away from this man the remedy which the law gave him and on the faith of which he had acted.

On Question, Whether to insist? Their Lordships *divided*:—Contents 33; Not-Contents 43: Majority 10:—*Resolved* in the *Negative.*

The rest of the Commons Amendments *agreed to.*

CONTENTS.

Westbury, L. (*L. Chancellor.*)

Exeter, M.
Salisbury, M.

Airlie, E.
Albemarle, E.
Belmore, E. [*Teller.*]
Brooke and Warwick, E.
Cadogan, E.
Carnarvon, E.
Derby, E.
Lonsdale, E.
Malmesbury, E.
Romney, E.

Hawarden, V.
Hutchinson, V. (*E. Donoughmore.*)
Sidmouth, V.

Aveland, L.
Belper, L.
Berners, L.
Chelmsford, L.
Clements, L. (*E. Leitrim,*)
Cranworth, L. [*Teller.*]
Denman, L.
Egerton, L.
Heytesbury, L.
Kingsdown, L.
Northwick, L.
Panmure, L. (*E. Dalhousie.*)
Raglan, L.
Redesdale, L.
Saint Leonards, L.
Walsingham, L.
Wynford, L.

NOT-CONTENTS.

York, Archp.
Dublin, Archp.

Devonshire, D.

Westmeath, M.

Clarendon, E.
De Grey, E.
Devon, E.
Graham, E. (*D. Montrose.*)
Granville, E.
Harrowby, E.
Saint Germans, E. [*Teller.*]
Shaftesbury, E.
Spencer, E.
Vane, E.

Eversley, V.
Stratford de Redcliffe, V.

Earl Granville

Sydney, V.
Torrington, V.

Abercromby, L.
Camoys, L.
Carew, L.
Colville of Culross, L.
Dacre, L.
Dartrey, L. (*L. Cremorne.*)
De Tabley, L.
Foley, L. [*Teller.*]
Harris, L.
Houghton, L.
Hunsdon, L. (*V. Falkland.*)
Inchiquin, L.
Llanover, L.
Lyveden, L.
Monson, L.
Monteagle of Brandon, L.
Mostyn, L.
Ponsonby, L. (*E. Bessborough.*)
Seaton, L.
Seymour, L. (*E. St. Maur.*)

Somerhill, L. (*M. Clanricarde.*)
Stanley of Alderley, L.
Sundridge, L. (*D. Argyll.*)
Taunton, L.
Wrottesley, L.

PROTEST

Against not insisting on the Amendments made by this House to which the Commons disagree.

DISSENTIENT:—

Because the effect of the Bill, without the Amendments introduced in this House, is to deprive persons who have instituted legal proceedings for the purpose of asserting their rights, of the benefits of the remedies to which they were entitled.

CRANWORTH,
BELMORE,
HUTCHINSON,
CHELMSFORD.

COURTS OF JUSTICE BUILDING BILL.

(No. 23.) COMMITTEE.

Order of the Day for the House to be put into a Committee read.

Moved, That the House do now resolve itself into a Committee on the said Bill —(*The Lord Chancellor.*)

LORD REDESDALE said, there were several serious omissions in the Bill as it stood at present—for instance, there were no powers for making adequate approaches to the Courts of Justice proposed to be built. The proposal at present was simply to take a large plot of ground without any better approach from any quarter than the Strand in its narrowest part, which, as their Lordships knew, was crowded to excess at certain times of the day. This was a matter in which £700,000 was to be expended on the site, and the question was whether another £700,000 would not be required for making the approaches. And then with regard to the buildings themselves their Lordships had no estimate whatever before them. He believed there never was a proposal for the expenditure of a large sum of public money on which so little explanation had been given. If the money that should be voted by Parliament proved insufficient, an extra grant would have to be made from the public funds. He did not think the Bill should receive the sanction of that House without further inquiry, and therefore he should move that it be referred to a Select Committee, who should be empowered to report upon the question of approaches and other points which needed elucidation.

Amendment *moved*

To leave out all the Words after the Word ("That") and insert ("the Courts of Justice Building Bill and the Courts of Justice Concentration (Site) Bill be referred to a Select Committee, such Committee to inquire and report as to the probable Cost of the new Courts and the Buildings connected therewith, and what new Approaches to the proposed Site will be required, and the probable Cost thereof.")—(*The Lord Redesdale.*)

Question proposed, "That the words proposed to be left out stand part of the Motion."

LORD ST. LEONARDS supported the Amendment. One of the Bills relating to the subject of the Courts of Justice provided money, the other dealt with the buildings; but each had a portion which belonged to the other. There were so many points which required investigation, and upon which so little information had been supplied, that it would be quite impossible to discuss the two Bills properly in a Committee of the Whole House. His only object was that the entire subject should be thoroughly investigated.

EARL GRANVILLE said, that one great objection to sending this Bill to a Select Committee was that the Lord Chancellor, who took so much interest in the subject, could not find time to attend the Committee. He trusted that their Lordships would not agree to the Amendment.

THE EARL OF HARDWICKE wished to know how the Government arrived at the conclusion that seven acres of land in the heart of London could be purchased for £700,000. The site of the General Post Office, which occupied only a single acre, cost a million. There ought to be a Committee to inquire into this subject.

THE EARL OF ELLENBOROUGH said, that not only any private gentleman, but any Prince—Crœsus himself—would be very imprudent to begin to build a great palace without an estimate of the cost. The House, however, was asked to build not one palace, but half-a-dozen, each as large as the Vatican, for the purpose of making comfortable accommodation for 3,000 barristers, 2,300 attorneys, and 50,000 gentlemen whom they called their staff. Why, there was no one who did not feel satisfied that the design of these various works—to combine these various Courts—would be one of the greatest undertakings submitted to any architect since the time of Michael Angelo. But he saw no Michael Angelo now—he saw no architect of the most ordinary capacity who was to perform this work. One of the wisest statesmen of former days was reported to have said, "Stay a little, that you may make an end the sooner." But the passing of the present Bill would be not the end, but the beginning. They could not tell how long the work would last or how many millions it would require. Louis XIV. when he set about building Versailles, burnt all the estimates, and he was quite right. The Government did the same, or rather they said they would have no estimates at all. The matter did not much concern their Lordships, but would be for those who came after them. Their Lordships would never see this great Palace of Justice, although they might have to pay a portion of the cost. They would never expatiate in those Courts—they would never see the common law and equity lawyers flying into each other's arms and effecting a fusion of law and equity, not by Act of Parliament, but by casual intercourse as they walked through its ample passages. Those who came after them would say how carelessly and recklessly their Lordships began that great expenditure, and they would censure them for not having made due inquiry before entering upon such a work. He confessed that when he first looked at this Bill he was strongly opposed to it. He felt most unwilling to remove the Courts of Common Law from the position at Westminster which they had held from the time when they were first made stationary. He was sorry ever to see that the Queen's Bench had been removed from its former position at the end of Westminster Hall, in which Court the battle of the Constitution had been fought quite as much as in that or the other House of Parliament. At the same time the evidence led him to the conclusion that there was a grievance in a want of comfort in some of the Law Courts which practically impaired the administration of justice. That was the consequence of the continued neglect of successive Governments, which had made no provision for the new Courts they had called into existence, and the additional requirements of the old Courts. He was not, therefore, hostile to the measure; but he cautioned their Lordships against beginning blindly a course of expenditure of which they would never see the end, and for which they would be deeply censured by those who came after them.

THE LORD CHANCELLOR said,

that unquestionably their Lordships would never see an end of this work if they never made a beginning. The noble Earl said it would be better to wait a little. Why, they had been waiting for forty years — forty years of inquiry, of talk, and of obstruction — and at last they had come to the threshold of the undertaking. Now, again, there was the same cry of a lion in the path, and their Lordships were told not to do anything and to wait a little longer. For himself, he was not disposed to fold his hands any longer. Inquiry was a prudent thing, and so was calculation; but there had been all the inquiry possible, and all the calculation that could be obtained from the most experienced persons had been laid before Parliament. The Government had been much indebted to the Commission issued by the noble Earl (the Earl of Derby). That Commission made the most diligent inquiry, and they reported not only the results of their own investigation, but also the inquiries that had preceded their own. He had, on a previous occasion, stated to their Lordships that a Committee of the House of Commons in 1841 had diligently examined the subject. An estimate of the value of the land and buildings made at that time gave an outlay of not quite £700,000. Under the Commission issued by the noble Earl, Sir Charles Barry, and a local surveyor examined the whole of the site and went from house to house. They estimated the value of the land and buildings at about £670,000. Subsequently to that Report the Government commissioned two architects and surveyors—Mr. Hunt and Mr. Pennethorne—to make another estimate, and they stated that the cost would not exceed £700,000. The noble Earl (the Earl of Hardwicke) was thinking of the value of land upon a different site; but this site was covered with houses, many of which were of the lowest character, inhabited by persons who would not dare to present themselves to receive compensation for honest trades and a livelihood obtained by honest means. Thus, all that could be done had been accomplished to obtain a satisfactory and reliable estimate. He could see no advantage whatever in referring this Bill to a Select Committee. It would be impossible to add to or to alter the Bill without disturbing the whole plan of the measure. It was impossible to lay down what portion of the seven acres of land would be required or could be dispensed with. When the expense of the buildings and land was ascertained he had no doubt a considerable portion of land would remain, part of which might be dedicated to the improvement of the approaches from the Strand. It must also be remembered that uncertainty with regard to a great measure of this kind actually debarred a number of minor measures of improvement from being brought forward. When the Bill now under consideration was proposed, in 1861, its introduction was immediately followed by that of another measure, originated by a private company, for the removal of Holywell Street and the widening and improvement of the Strand. This was but a specimen of the proposals which might be expected to follow since this great public undertaking had been actually entered upon. To postpone the Bill again would be to lose the Bill, and the hopes of the public and the profession had been foiled so often that he was unwilling to do anything which might imperil its success, now that the opponents of the measure, even those most reluctant to believe in the merits of the scheme, had been compelled to do so by the force of evidence with which they were confronted. It was the greatest measure of legal improvement that he had known during his life, and after it had passed through so many perils and overcome so many difficulties the country would have reason to feel annoyed if, by the indefinite postponement of the third reading, the hopes excited were once more doomed to disappointment.

On Question, Whether the words proposed to be left out shall stand Part of the Motion? their Lordships *divided:*—Contents 55; Not-Contents 32: Majority 23:—*Resolved* in the *Affirmative.*

CONTENTS.

Westbury, L. (*L. C cellor.*)
Dublin, Archp.

Devonshire, D.
Somerset, D.

Ailesbury, M.

Airlie, E.
Albemarle, E.
Clarendon, E.
Cottenham, E.
De Grey, E.
Ducie, E.
Effingham, E.
Granville, E.
Romney, E.
Saint Germans, E.

Shaftesbury, E.

Eversley, V.
Sidmouth, V.
Sydney, V.
Torrington, V.

Kilmore, &c., Bp.
Lincoln, Bp.
London, Bp.
Ripon, Bp.
Rochester, Bp.
St. David's, Bp.

Abercromby, L.
Belper, L.
Boyle, L. (*E. Cork and Orrery.*)
Camoys, L.

Carew, L.
Clandeboye, L. (*L. Duferin and Claneboye.*)
Cranworth, L.
Dacre, L.
Dartrey, L. (*L. Cremorne.*)
De Tabley, L.
Foley, L. [*Teller.*]
Harris, L.
Houghton, L.
Hunsdon, L. (*V. Falkland.*)
Lyttelton, L.
Monson, L.
Mostyn, L.
Panmure, L. (*E. Dalhousie.*)
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Rivers, L.
Rossie, L. (*L. Kinnaird.*)
Seaton, L.
Seymour, L. (*E. St. Maur.*)
Somerhill, L. (*M. Clanricarde.*)
Stanley of Alderley, L.
Sundridge, L. (*D. Argyll.*)
Taunton, L.
Wenlock, L.
Wrottesley, L.

NOT-CONTENTS.

Exeter, M.
Salisbury, M.
Westmeath, M.

Belmore, E. [*Teller.*]
Brooke and Warwick, E.
Carnarvon, E.
Cathcart, E.
Derby, E.
Ellenborough, E.
Graham, E. (*D. Montrose.*)
Hardwicke, E.
Harrowby, E.
Lonsdale, E.
Malmesbury, E.
Vane, E.

Hawarden, V.
Hutchinson, V. (*E. Donoughmore.*)

Berners, L.
Bolton, L.
Chelmsford, L.
Clements, L. (*E. Leitrim.*)
Colchester, L.
Colville of Culross, L.
Denman, L.
Heytesbury, L.
Inchiquin, L.
Northwick, L.
Redesdale, L. [*Teller.*]
Saltersford, (*E. Courtown.*)
Saint Leonards, L.
Walsingham, L.
Wynford, L.

Then the said Motion, "That the House do now resolve itself into a Committee on the said Bill," was *agreed to.*

Bill *considered* in Committee.

Clauses 1 to 3 *agreed to.*

Clause 4 (Plan of Building, and Arrangements for Care and Maintenance of Building.)

THE EARL OF ELLENBOROUGH said, the Bill provided for the establishment of a Board of twenty or thirty persons, who were to decide upon the accommodation to be provided for the several Courts. With such a Board he thought there would be endless confusion. It would be much better to have a Commission of some two or three persons with some architectural knowledge, who would hear the persons representing the different Courts, and apportion the accommodation amongst them.

LORD CHELMSFORD said, he thought it was requisite to have such a Board to allot the space and determine on the accommodation to be provided. It would be better for the Board of twenty or thirty to call before them two or three architects than for the two or three architects to call before them the twenty persons representing the different Courts.

Clause *agreed to.*

Clause 7 (£200,000 to be contributed out of money to be provided by Parliament as the value of Courts and Offices transferred, and of Relief of Rent to the Public).

THE EARL OF ELLENBOROUGH said, that the clause seemed to contemplate that property worth about £200,000 would come into possession of the Crown, and would be disposable for other purposes. This, however, would not turn out to be the fact. For instance, the Law Courts and other buildings adjoining Westminster Hall were worth perhaps £80,000; but instead of the public coming into possession of that sum, it would turn out, most probably, that the architecture of the building would be altered, and an expenditure incurred of £1,000,000.

After a few words in answer from The LORD CHANCELLOR,

Clause *agreed to.*

Clauses 8 to 15 *agreed to.*

Clause 16 (Chancery Compensations may be redeemed, or paid out of the Capital of Court Funds.)

LORD ST. LEONARDS complained of the proposed diversion of the Suitors' Fund for the purposes of the Bill, and said that the Lord Chancellor ought not to have the power, and ought not to wish for the power, of sanctioning any such application.

THE DUKE OF ARGYLL contended that the Fund was clearly at the disposal of Parliament.

Clause *agreed to.*

Clauses 17 to 22 *agreed to.*

Clause 22 (Discontinuance of existing Courts and Offices.)

LORD ST. LEONARDS gave notice that he would move its rejection on the bringing up of the Report.

Bill *reported,* without Amendment; and to be read 3^{a} on *Monday* next.

PROTEST

Against going into Committee on the Courts of Justice Building Bill.

"*DISSENTIENT:—*

"1st. Because, although the provision made for the cost of the site and of the buildings is limited to £1,500,000, there is no information given which affords any assurance that this calculation has been made on any reliable estimate.

"2nd. Because the proposed site is unsuited for the architectural effect of a building which, on account of the purposes to which it is to be applied, and the expenditure to be lavished upon it, on account of the fall of ground from north to south being so considerable that on two sides uniformity of elevation cannot be preserved, while the frontage, as at present proposed, will be on the east, opposite to mean houses in Bell Yard, and on the north to wretched buildings in Yeates and Horseshoe Courts, and on the back of Lincoln's Inn in Carey Street.

"3rd. Because the above statement as to the boundaries of the site now to be acquired at the enormous cost of from £700,000 to £750,000, and the want of all decent approaches to it from any quarter but the Strand, which is already one of the most overcrowded thoroughfares in the metropolis, must satisfy all who give attention to the subject that much more property must be purchased and a far larger expenditure incurred than that already provided for.

"4th. Because these facts prove that the site is in many respects an unsuitable one, while it is notorious that others can be procured affording excellent general accommodation at less than half the cost, and free from all the above-mentioned objections.

"5th. Because it is proposed to tax the suitors in certain Courts, in order to raise part of the money required, whereas, if any is to be obtained from those using the new Courts, it would be far more properly supplied by a percentage levied on solicitors' bills, counsels' fees, and Judges' salaries, these being the persons for whose supposed convenience this extravagant outlay is more particulary demanded, while the necessity of any such change would be avoided by a reduction in the expense of the work consequent upon the selection of a cheaper site.

"6th. Because, it appears to me, it is the duty of the House to inquire into these matters, and to be satisfied as to the probable cost of the proposed Courts, and of any approaches to the same which may be necessary in connection therewith, before it sanctions a scheme which calls for so large and so uncertain an expenditure.

"REDESDALE."

House adjourned at Eight o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 2, 1865.

MINUTES.]—PUBLIC BILLS—*Resolution in Committee*—Bank Notes (Ireland).*
Ordered—Bank Notes (Ireland).*
First Reading—Bank Notes (Ireland) * [124].
Committee—Isle of Man Disafforestation (Compensation) * [100].
Report—Isle of Man Disafforestation (Compensation) * [100].
Third Reading—Lancaster Court of Chancery * [106], and *passed*; Oxford University (Vinerian Foundation) * [107], and *passed*; Sewage Utilization * [105], and *passed*.

BAND OF THE COMMISSIONAIRES.

QUESTION.

MAJOR STUART KNOX said, he wished to ask the First Commissioner of Works, Whether it is true that the permission accorded to the Band of the Commissionaires to play in St. James's Park has been withdrawn; and, if so, on what grounds, and for what cause; and, whether any Correspondence has passed on the subject; and, if so, whether he has any objection to lay it upon the table?

MR. COWPER: Sir, in reply to the Question of the hon. and gallant Member I have to state that some of the inhabitants of New Street, Spring Gardens, Spring Garden Terrace, and Carlton Gardens remonstrated on account of the annoyance which they stated they experienced from the playing of these bands just in front of their windows. Although the Street Music Act does not apply in precise terms to the band playing on that side of their houses in the Park, yet it appeared to me that it did apply in spirit, and I thought, out of deference to the Act of the Legislature in passing that statute, that it would not be right to grant permission to this band to play in front of the houses in question, as they had been allowed to do before the passing of the Act. The withdrawal of the permission previously given—for the permission was only annual—was not made by means of correspondence, and I have, therefore, no correspondence on the subject which I can lay upon the table of the House.

MAJOR STUART KNOX: I would beg to ask the right hon. Gentleman, whether he is aware that the permission was worth £1,000 a year to the Commissionaires, and whether he will grant a piece of ground within St. James's Park, away from the houses, during this season, and see whether any objection will be made to such a course?

MR. COWPER was understood to say, that he would take the subject into consideration.

NAVY—CARRIAGE OF TREASURE.

QUESTION.

MR. HANBURY TRACY said, he wished to ask the Secretary to the Admiralty, Whether it is the intention of Her Majesty's Government to make any alteration in the carriage of treasure on board Her Majesty's Ships, and in the distribution of the freight money arising therefrom, and when they will state to the House their intention concerning it?

LORD CLARENCE PAGET, in reply, said, it was the intention of the Board of Admiralty shortly to lay upon the table of the House a plan in reference to the conveyance of treasure by Her Majesty's Ships.

DRAINAGE ACT (IRELAND) 1863.

QUESTION.

CAPTAIN STACPOOLE said, he rose to ask the Secretary to the Treasury, If it is his intention to introduce a Bill to amend the thirty-eighth section of the Drainage Act of 1863, which limits the Power of the Board of Works in Ireland to make advances to any Drainage Board to one moiety of the amount proposed to be expended by such Board; and, if so, when he will be prepared to introduce the Bill?

MR. PEEL said, in reply, that the Board of Works in Ireland had power to lend money to the amount of one-half of the cost of the drainage works in a drainage district, and as the Government rent-charge for the repayment of that loan took precedence of every other claim, the proprietors of the district were placed under some difficulty in raising the other half; and he proposed, therefore, to introduce a Bill for the purpose of giving the Commissioners of Public Works in Ireland the power to lend money to the whole amount of the cost of the drainage works.

EDUCATION—MINUTE OF COUNCIL.

QUESTION.

MR. ADDERLEY said, he had given notice that he would move the following Motion:—

> "That the modification of Article 93 in the Education Code, 1865, according to a Minute of Council of the 11th day of March, 1864, by which the reduction of Public Grants to Schools by the amount of any Private Endowments is suspended only in the case of small Rural Schools is unsatisfactory."

He would now beg to ask the Vice President of the Committee of Council on Education, Whether it is his intention to introduce a new Minute which will remove the distinction between Rural and other Schools in the Minute of March, 1864, relating to the reduction of Grants to Schools by the amount of any Endowments?

SIR GEORGE GREY said, he was sorry that his right hon. Friend the Vice President of the Committee of Council on Education was not present; but in reply to the Question which had just been put, he might state that he believed that it was his right hon. Friend's intention, in the course of a very few days, to lay upon the table of the House an altered Minute to the effect stated by the right hon. Member.

MR. ADDERLEY said, if it was to be understood that an opportunity would be given to discuss the new Minute when it was introduced he would withdraw the Motion of which he had given notice.

SIR GEORGE GREY said, certainly an opportunity would be given to discuss the new Minute, and if its provisions did not meet the right hon. Gentleman's wishes he could again introduce the Motion which he was to have moved that night.

MR. ADDERLEY said, on that understanding he would beg to withdraw the Motion.

Motion, by leave, *withdrawn.*

INDIAN OFFICERS.

MOTION FOR AN ADDRESS.

CAPTAIN JERVIS rose to call attention to the petitions which had been presented by the officers of the late Indian Army. He said, it would be in the recollection of the House that last year, in consequence of a discussion which took place, the Secretary of State for India stated that it was his intention to carry out to the full, and in every particular, the Report of the Royal Commissioners who had been appointed to inquire into the various grievances brought before the notice of the House by the officers of the Indian army. After such a pledge as that had been given it was a very serious question to find, a year afterwards, twenty-three general officers, over 240 field officers, and more than 500 officers of lower ranks, not one of whom could have served less than seven years in the East Indies, should have thought proper to petition the House that the Report should be carried out. On ordinary occasions the mere fact of 750 officers petitioning a Government, from the general officer to the subaltern, and a large proportion filling high ranks in the service, was a very serious question for consideration, either for England or any other nation in the world. Where such a large number of officers felt the necessity of forwarding petitions, there must be a large body in addition who coincided in their opinions, but who preferred to wait and see what was done in the matter. When the House came to consider that this had occurred among the officers commanding Native troops in India, they would see it was a matter which could not long be postponed. It was not many years since the Native troops of India mutinied throughout the whole of our dominions from suspicion of the acts of the British Government. Whether it arose from the intrigues of the Court of Persia, the confiscation of Oude, or the greased cartridges, it arose from deep suspicion in the minds of the Sepoys, with regard to the intentions of the British Government. We kept repeating they had no cause for distrust,yet no sooner had we conquered them than the local European army mutinied, and the very troops who had assisted us to fight our battles were obliged to be disbanded. Distrust had caused their mutiny, and this was not relieved when, after being disbanded, and as soon as they reached these shores, they found our recruiting officers ready to re-enlist them. Now again we find discontent in the local service in India from 1860 to 1865. But this time it is the officers of the whole local army. He did not know which feeling was the greater—his admiration for the loyalty of these officers, or his surprise at the measures which had been taken to drive them to despair. They had trusted to Parliament as loyal Englishmen, and up to the present time had acted as British officers should do, relying upon the fulfilment of the promises given to them. He trusted it would be shown that their faith had not been misplaced. The right hon. Baronet (Sir Charles Wood) asked him (Captain Jervis) last year whether it was usual in other countries that officers whose services were not required should be kept on full pay, and then the right hon. Gentleman said they ought to be placed on half-pay or got rid of altogether. Now he (Captain Jervis) wished to state that this could not have taken place in any other army in the world, for this simple reason, that there was no other army in the condition of the servants of the late East India Company. In every civilized as well as every barbarous country men were either bound to take up arms, or they volunteered and became part and parcel of what was called the army of the country; but what was the army of the East India Company? They went into that service with certain distinct arrangements by which they were to receive certain pay so long as they remained there and did their duty, and they were to receive a certain pension when they left, and there was no analogy between their case and that of any other army. When it was considered politic that the power possessed by the East India Company should be transferred to the Crown one difficulty was, how to provide for the army which we had permitted the East India Company to raise. The army belonging to this Company was, to speak in plain language, nothing more nor less than a body of mercenaries who had entered as servants into the employ of a number of merchants. In order to protect our interests as well as of those servants, Acts of Parliament and Orders of the Board of Control were passed, by which a certain system of wages, discipline, and promotion was guaranteed to these men. Originally on these gentlemen entering the service a distinct agreement on parchment between the directors and themselves was drawn up. This practice, however, fell into disuse, not because the respective parties failed to observe it, but simply because Parliament interfered in 1796, and promised to every man who entered the service the enjoyment of certain rights and privileges as long as he performed his duty. In 1858 a Commission was appointed to inquire into the organization of the army then serving in the pay of the East India Company, and to report as to the terms on which it was to be transferred to the Crown. On that Commission were the hon. and gallant Member for Huntingdon (General Peel), then Secretary of State for War, the Commander-in-Chief, the noble Lord the Member for King's Lynn (Lord Stanley), then Secretary for India, and a number of Members much respected by the country. The Report of the Committee was as distinct as any Report possibly could be. They said—

> "The privileges and advantages thus referred to are detailed in the Appendix, but may be briefly stated to consist in a prescriptive right to rise strictly by seniority to the rank and emoluments of colonel of a regiment, with the option of retiring before attaining that position, or after various periods of service, on a scale of pay or pension considerably higher than that granted to officers of your Majesty's army of the line. No change, therefore, can be made which would in any way disturb the system of promotion by seniority as affecting officers now in the service, or interfere with any of their existing privileges ; but the 57th section of the above recited Act gives to your Majesty full power to frame new regulations on

this and all other points, to be applied to the case of officers and others who hereafter may enter the Indian army."

When the right hon. Baronet (Sir Charles Wood) became Secretary of State for India he also brought in a Bill upon the subject, in accordance with the feeling generally entertained in the country, and while that Bill was before the House, the right hon. Baronet accepted a clause at the suggestion of the right hon. Gentleman the Member for Oxfordshire (Mr. Henley), which the right hon. Baronet seemed to regard as unnecessary. As Secretary of State for India, he said he felt himself bound to maintain all the pledges that had been given, but nevertheless added he would accept the clause in deference to the opinion of the House. That statement was made in the House on the 30th of July, 1860, and yet on the same day the right hon. Baronet had signed the appointment of a Committee to which was to be referred a plan to overthrow all he had pledged himself to carry out. Within a short time that Committee reported adversely to the wishes of the right hon. Baronet, as follows:—

> "We do not understand in what manner any change can be introduced into the existing system of promotion in the local army of India without an infringement upon the guarantee contained in the 56th and 58th clauses of the Government of India Act of 1858 (21 & 22 *Vict.* c. 106)."

In spite of his own Committee reporting against him, the right hon. Baronet sent out a despatch to India, establishing the system which he probably regarded as correct, but which was in reality utterly opposed to the guarantee which had been given. No sooner had the despatch reached India and made public by the Governor General, than it excited the most extraordinary interest throughout that country. Every man in the service felt that the pledges of Parliament could not be relied upon, that not any of those promises upon the fulfilment of which they so confidently depended would be carried out, and the service believed they were a ruined body of men. No less than 278 questions were sent by Governors of Provinces, General Officers, and others, to the Governor General of India, with a view to obtain an explanation of the despatch. The Governor General did his best to satisfy the questioners and to settle the matter, but his answers to no fewer than sixty-nine of the questions were disputed by the Secretary of State for India at home. This plan had evidently been dwelling in the mind of the right hon. Baronet for some considerable period. When the Bill under Lord Derby's Government was brought into the House, a very able discussion took place, and among others who drew the attention of the House to the subject, was the right hon. Gentleman the present Chancellor of the Exchequer. The right hon. Gentleman said —

> "The Bill of the late Government did refer to the Indian army; and I must confess that the manner in which the reference was made, made me devoutly to wish that no reference had been made to it at all. I do not mean the extension of the European force serving in India; that is a matter, however, which may ultimately prove much more difficult than we have yet been accustomed to acknowledge; but rather the manner in which it dealt with the Native army properly so called. As regards that army and its officers they were no longer to be in the Company's service, nor, practically, were they to be in the Queen's service. No provision was made with regard to that vast body, upon which we must, under all circumstances, place a great part of our reliance, both for the maintenance of order and the defence of the country. It appeared, according to the provisions of that Bill, that the whole of that great Native army, including the body of officers by which it is commanded, was not to be a Queen's force nor a Company's force, but a mere local force, of a secondary character, deprived in a great degree of the military spirit which necessarily follows and is fostered by belonging to a distinguished service, even as if it were no more than an ordinary constabulary or police force in England. . . . . I want to know in what position you are about to place the Indian army, what provision you are going to make to give full scope for its energies, and to enable it to hold that rank and title in the eyes of the world and Europe to which it has a right. These are difficult questions; they involve the entire question of the re-organization of that army, and yet they cannot be excluded from consideration in a final scheme for the government of India."—[3 *Hansard*, cl. 1623.]

What did the scheme of the right hon. Baronet provide? It entirely destroyed the regimental seniority and substituted a Staff Corps, one of the most extraordinary productions that ever emanated from the mind of man. They all knew what a Staff Corps at home and what the *Corps d'Etat Major* were, but if they were the same as the Staff Corps appointed by the right hon. Baronet he (Captain Jervis) had not in any way the slightest acquaintance with the service. The warrant authorized the formation of a corps from the ranks of which were to be filled the different appointments which belonged to the Staff, whether civil or military. But what did it next do? The right hon. Baronet issued an order which was contrary to the advice of every great man who had been in that country. The complaint that had always been made was that officers had been abstracted from their regiments for Staff duties, yet by this Staff Corps only six officers were left to each regiment. Having done that, he issued an edict by which the regular regiments were to be turned into irregular regiments; and then he framed a Staff of corps officers to command these irregulars, displacing the whole of the local officers. The Staff officers under this rule were about 1,300, and the number of local officers, who were in a state of disgust, numbered about 2,000. So many petitions were presented that a re-consideration of the question was thought desirable, and he moved for the appointment of a Committee. The right hon. Baronet met that by the proposal of a Royal Commission. At that time he (Captain Jervis) was told by some hon. Members who supported the Government that the right hon. Baronet the Secretary of State for India had misled him; but his reply was that he must trust the word of the right hon. Baronet until his statement was proved to be incorrect. He should like to draw attention to the way in which that was done. It was said that a Committee would take so long that it was necessary to get rid of the whole affair as soon as possible, and therefore a Commission was best. A Commission was appointed, and Lord Dalhousie was made Chairman, but afterwards resigned, and then the right hon. Baronet appointed as Chairman a learned Lord. He did not complain of such an appointment, but he thought that the subject was one which hardly fell within the province of lawyers. That Commission, however, having been appointed in May, sat, and in November following made a Report. At the commencement of their inquiry the Commissioners, being very properly anxious to dispose of the business as speedily as possible, addressed to him through their secretary a letter asking him to procure from the officers of the Indian army who were then in Europe a statement of what they considered were their grievances. That was not a very simple task when it was remembered that the officers were on leave, or invalids, and were scattered over England and Europe. However, a clear and succinct statement of grievances was drawn up, and a classification of all the petitions that had been presented to Parliament upon the subject was also prepared. The main grievance was the supersession of the right of promotion by seniority. The Report of the Commissioners admitted that the complaints of the Indian officers were in some cases well founded, and in others that they were not proved. The right hon. Baronet said that of the thirteen grievances submitted to them eight did not exist, two were doubtful, and three were substantial. The hon. Baronet, however, took care not to point out that the one great and real grievance, the supersession of rising by seniority, was confirmed by the Commission. The great grievance had been admitted by the Commissioners, and therefore the result of the inquiry was against the right hon. Baronet. It then became a serious subject for consideration with the right hon. Baronet and the Government what steps should be taken, and it was impossible to avoid a certain sympathy with the right hon. Baronet when he declared that the grievances of the officers of the Indian army had given him ten times more trouble than all the other business connected with India had done. But who was it that had created that difficulty? It certainly was not the officers themselves, and if the right hon. Baronet had considered who those officers were, he would have refrained from treating them as he had done. They had it from Sir Hope Grant that he scarcely knew an officer who, after fifteen years' service in India, was not suffering in health from the effects of his service. Those officers were men who had suffered many perils and losses during the mutiny; they were comrades of those who were slaughtered by scores when they stood by their regiments; they were husbands and relatives of ladies who fell victims to the atrocities of Cawnpore and Delhi, and surely such men deserved better treatment. How was it that the amalgamation of the Indian army with the British army was brought about? The Indian army at first was but a mere band of mercenaries, who entered into the service of the East India Company upon condition of receiving certain pay and pensions quite different to the terms upon which the British army was raised. That army could not be regarded as having been when first formed worthy to be amalgamated with the British army. They did not ask for amalgamation; but they were considered worthy by reason of their great deeds and their heroic bravery during the last hundred years, and the right hon. Baronet had no right to treat brave and honourable men as he had done. The right hon. Baronet accepted the Report of the Commissioners. He had established a Staff Corps in which a captain obtained, after twenty years' service, the rank and pay of a major, and after twenty-six years' service the rank and pay of a colonel. He had thus created an extraordinary supersession; broken up the whole system of promotion by seniority—the friendly and fraternal arrangements of the mess—by which sympathy was established between man and man—and placed the right hon. Baronet himself, as he had declared, in a painful dilemma. To remedy this evil the right hon. Gentleman sent instructions to India that the officers of the local army were to receive brevet rank, after the same periods of service for which the Staff Corps got substantive rank—namely, rank without pay. In the English army brevet rank to a certain extent did exist, and when an officer received brevet rank, he was content with the respect of his comrades, and cared little for the miserable sum which was due to his nominal rank. But in the Indian army the case was wholly different. Brevet rank in India, when it was given by wholesale, meant only so much gold on the officers' collar and sleeves, which he had to pay for and there was an end. The despatch in which the right hon. Baronet had conveyed those instructions to India was nothing more than a defence set up against the Report of the Royal Commissioners, but there was no opportunity afforded to the officers of the Indian army of making any answer. But how had the right hon. Baronet dealt with the Commission itself? When he (Captain Jervis) was invited to send in a statement of the grievances of the Indian officers he was also asked to send in a list of witnesses. The statement was prepared and duly forwarded to the Commissioners. Those gentlemen sent it to the Secretary of State, who forwarded to the Commissioners a statement in reply. That statement the Commissioners were anxious to forward to the committee of Indian officers for their observations, but the Secretary of State refused to assent to that course. The Commissioners assumed a perfectly correct conclusion upon the question as it was presented to them, but possibly they would have changed some of their views had they had a fuller statement of facts before them. Upon the bonus question the statement on the part of the Secretary of State was that the system which had arisen in the regiments in India of purchasing out the seniors, was illegal, and had not been sanctioned by the Court of Directors. But if the right hon. Gentleman had referred to information to be found in his Office he would have ascertained that that statement was not correct. That system had been encouraged by the Court of Directors, and had been sanctioned by the Board of Control. Was there any reason for the extraordinary measures which had been adopted? The right hon. Baronet had talked about the difficulty that arose upon the breaking up of the Bengal army. Upon that point his own Council did not agree with the right hon. Baronet; for in a Report, dated the 30th of June, 1859, and signed by Mr. Willoughby, Sir John Lawrence, and three other members of the Council, it was stated—

> "The Madras and the Bombay armies exist nearly in their original integrity, and it is a palpable fallacy to speak of the Bengal army as so completely defunct that the assurance of Parliament is inapplicable to the large body of its European officers—men who have evinced the utmost devotion under the most trying circumstances, many of whom rendered eminent service to the State, and all of whom are temporarily employed in the command of a force, European and Native, equal, and even superior, in amount to the strength of the Bengal army before the mutiny of 1857."

The right hon. Baronet in his despatch talked about what had been done for these officers in keeping them upon full pay and employment. But he would remind the right hon. Baronet that there was no such thing as half-pay known to the Indian army. In England, the army existed only from year to year, and Parliament of its bounty had created a system of half-pay and pensions, which it could terminate at its pleasure. But officers in the Indian army entered for a service of twenty-two years on full pay, and at the end of their service they were entitled to their retirement. If the right hon. Baronet had only spoken from what he found in this country his mistake would have been intelligible, but he was assisted by Sir William Mansfield, who in 1859 had stated that what was necessary for the Indian army was to cast aside all Parliamentary guarantees, and a re-organization of the whole service. But what did Sir William Mansfield tell him? Why that half-pay was unknown in the Indian army, and to place them on half-pay would be a violation of the pledges given by Parliament. Thirty-three years ago there was a searching inquiry into the affairs of the East Indies, when it was a matter of serious consideration whether we should not do away with the East India Company, and take their army over to ourselves. It was then stated most distinctly by the East India Company that there was no such thing as half-pay in their army, and that their great difficulty in reducing their army was the necessity of keeping the officers on full pay in the cadres of their regiments. When the right hon. Baronet received the Report of that Commission there were two things which he might have done. He might have broken up the Staff Corps, and replaced the officers in their regiments, which would have been the legal thing to do, or he might have placed the rest of the officers in the same position. There could be nothing more serious than to weaken the trust which military men placed in the pledge of a Government; and what were likely to be the feelings of the British army, who had no security but the word of the Government, if they saw an Act of Parliament passed deliberately over in this way? He had not taken up this case without deep consideration, and he had taken care not to communicate with any individual officer, beyond the Members of the Committee, because he felt how serious a matter it was to have a large body of military men in a state of discontent. He hoped that this matter would be so arranged that the British army would not turn round on them and say, " What are you going to do with us?" He was struck very forcibly with the spirit of discontent and dissatisfaction which was excited at the time when it was proposed to amalgamate a regiment of Tipperary Militia with the Royal Artillery, and if that feeling could exist among men domiciled at home, what must be the feeling of men several thousand miles away from home? He left this question in the hands of the House, trusting that they would look to their honour and to the guarantee. The hon. and gallant Gentleman concluded by moving—

"That an humble Address be presented to Her Majesty, praying She will be graciously pleased to redress all such grievances complained of by the Officers of the late Indian armies as were admitted by the 'Commission on the Memorials of Indian Officers' to have arisen by a departure from the assurances given by Parliament by 21 & 22 *Vict.* c. 106, and 23 & 24 *Vict.* c. 100."

SIR CHARLES WOOD: I have sometimes been accused of being unwilling to rise until late in these Indian discussions, but on this occasion I am desirous of presenting myself to the House at the earliest possible moment, not only to answer the Motion of the hon. and gallant Gentleman, but to state the general course which has been pursued by the Secretary of State in Council upon the various questions connected with the Indian army. For there are other questions besides the amalgamation — there is the alteration of the whole organization of the Indian army, and the extraordinary reduction of that army. The three measures were carried into execution at the same time, and many of the complaints which have been ascribed to the amalgamation are really referable to the change of organization and to the reduction. I entirely concur in the high terms in which the hon. and gallant Gentleman has spoken of the officers of the Indian army. They were entitled to the greatest consideration from the Government, and if I could admit for a moment that the Government had behaved to them in the manner which the hon. and gallant Gentleman states, I should feel myself most guilty in the eyes of this House. But I do not hesitate to say—and before I sit down I trust to have proved it—that the result of the measures taken by the Government on the whole have placed the officers of the Indian army in a far better position as regards pay and promotion than they ever were in before. I am anxious to state this, not only to remove the false impression which exists on this subject, but also for the sake of those members of my Council, some of them Indian officers, by whose advice and with whose concurrence all these measures have been taken, and who, connected as they are with the Indian army by sympathy and by common services, have been accused of neglecting the interests and feelings of that army. Quite independently of any Parliamentary guarantee, their very natural feelings would have prevented their allowing any hardship to be inflicted on their former companions in service. The hon. and gallant Gentleman has said a great deal about the number of petitions which have been presented, and if I supposed that these petitions really expressed the opinions of the officers whose names they bear I should attach more weight to them. If I thought that the grievances were not repudiated by some of the officers in whose behalf they are put forward ["Name, name!"], I should think them of more importance. The hon. Gentleman knows perfectly well that a system of agitation and of invitation to sign petitions has been going on for some months past. Not very long ago an officer came to the India Office and talked over the changes which had been made, and said that the new arrangement had very much improved his position. Soon after that the petitions were inspected, and it was found that his name was signed to one of them. ["Name, name!"] Certainly not, I shall not give the name.

CAPTAIN JERVIS: Then it will be my duty to move for a Select Committee to inquire into the circumstances under which this officer's name was attached to the petition.

SIR CHARLES WOOD: In a matter of this sort I shall certainly not shrink from the hon. and gallant Member. Not long ago I received a letter from an officer whose name I will give. It is from Colonel Cherry, a lieutenant-colonel commanding a regiment in the Madras army. He writes to me thus—

> "Saugor, Central India, March 22.
>
> "Sir,—I write to inform you that a pamphlet headed 'Another Grievance,' has been printed, in which the author has used my name in the most unwarrantable manner, citing my case as a grievance. I beg to state it was composed and printed entirely without my knowledge, authority, or consent. I never knew anything of it till a printed copy was sent me. It is quite illegal, as the printer's name is not put on the pamphlet. I have no grievance, and have never petitioned, and am very much annoyed at my name being so used.
>
> Believe me, &c.,
>
> P. G. CHERRY,
> Colonel 4th Madras Light Cavalry."

The hon. and gallant Member will not say that in this case I have not given the name. Next on the list to Colonel Cherry is the name of Colonel Kelso, and when it is stated that our measures with regard to promotion have injured every officer in the service, I would call attention to the case of Lieutenant Colonel Kelso, who is, nevertheless, a petitioner. In July, 1861, Colonel Cherry was lieutenant-colonel, and Mr. Kelso was a captain; but in consequence of the accelerated promotion which our measures have produced, in six months from that time Captain Kelso became a lieutenant-colonel, passing over altogether the rank of major. Three years after—namely, in the spring of this year —Lieutenant Colonel Kelso retired. Now he happened to be in a peculiar position. In consequence of the arrangement which I made last year for striking off the names of majors in the Staff Corps and new Line regiments when they rose to the rank of lieutenant-colonel, it so happened that three regiments had an interest in getting him to retire. The system of bonus, of paying for retirements, has not, as is stated, altogether ceased in India, and if I am to believe the Madras papers, Colonel Kelso has benefited to a considerable extent by the contributions from the officers of three regiments, in order to induce him to retire. He retires on a lieutenant-colonel's pension, and then he petitions the House of Commons, says he is hardly used, and his grievance is, that certain officers retiring on special bonus have not been removed from the list, whereas, if they had been so removed, he might now have been in the receipt of a colonel's allowance. Now, in the Madras army the ordinary time which an officer passes in the rank of major is seven years, and the ordinary time passed in the rank of lieutenant-colonel is twelve years more. Therefore, if nothing had been done out of the ordinary course, in all probability this officer would have reached his colonelcy in nineteen years from the year 1861; yet he now petitions Parliament on the ground that beyond the great acceleration of his promotion, and the extraordinary advantage he has received, something more has not been done which would have enabled him to obtain a colonel's allowance in four years from the time of his being captain. I do not think that is what Parliament will consider a legitimate grievance. A statement was sent round to Members of Parliament a few days ago, in which two or three cases are specially referred to. I should be glad if the House would permit me to enter into those cases as a specimen of the grievances which those officers complain of. The first grievance on this list is stated in these terms—

> "Captain W. Winson, a captain in the Bengal Staff Corps, now commands the 18th Regiment Native Infantry, and has under him Major R. Larkin, of the late 49th Regiment of Native Infantry."

Now, if that has any meaning at all, its meaning is this—that, contrary to the practice of the Indian army, we have put a captain of the Staff Corps in command of an irregular regiment over the head of his senior officer, a major. Supposing that it was in consequence of orders from hence that this had been done, it would not be contrary to the practice of the Indian army, because it was always the custom in the East India Company's service to disregard rank in the command of irregular regiments. I turn to the Army List of 1856—the year before the mutiny—and I find there that the 3rd Irregular Cavalry was commanded by a lieutenant, the second in command being a captain; and that the 14th Irregular Regiment was commanded by a captain, a major being second in command. If, therefore, we had given orders for making the arrangement which is complained of, we should only have been acting in accordance with old practice in the time of the East India Company. In point of fact, we have done quite the contrary. We have given orders that no officer shall be required to serve under his junior unless with his own consent; so that this major serving under a captain can only be doing so entirely with his own consent. The next case is that of Major Spottiswood, who is stated to have been superseded in command by Lieutenant Browne, but, for the reasons I have just stated, the lieutenant could not have been put in command over him. And, in point of fact, Lieutenant Browne was in civil employment, and not in any military employment at all. The third case is thus stated—

> "In the 46th Regiment Madras Native Infantry, the third captain, Alfred Cooper, was superseded not only by two captains junior to him, but also by the senior lieutenant, A. M'Neill, who was made a substantive major in the Staff Corps."

Now, what is meant by this statement is explained in a note in one of the grievance pamphlets, where it is stated that it is only substantive rank which counts in these commands. This is directly the reverse of the fact, for a despatch of December, 1863, lays down the rule that it is not substantive rank but army rank which gives the right to command. In this case also Lieutenant M'Neill was in civil and not in military employment. In neither case, therefore, could any supersession in command have taken place. The supersession in rank is completely remedied by our subsequent measures. It has been made a charge against the Secretary of State that he withheld from the officers all knowledge of the points which he was bringing under the notice of the Commissioners; but, on reference to their Report and the Appendix, it will be found that the Commissioners very properly made the officers aware of all the points mentioned by the Secretary of State, and called upon them for their explanations. Appendix D contains the questions of the Commissioners, Appendix E contains the answers of the officers in detail. I am not going into the question of bonus, as the Commission has distinctly reported that on that point there has been no breach of the guarantee. The hon. and gallant Officer, however, says that I misled the Commission by stating that the bonus was an illegal proceeding. Now, of course, I did not state that upon my own authority or my own legal opinion. I stated it on the authority of two decisions in the Court of Queen's Bench, both of which had been reported. The hon. and gallant Officer shakes his head, but he will find the cases reported in the newspapers. In both cases there was an action by an officer to obtain payment of the amount of a contribution towards a bonus, which was refused by the officer who had undertaken to pay it. In both cases the defence was that the transaction was an illegal one. I have the report of one of the cases before me, and I find the statement of the defendant to be substantially this, "I won't pay the money though I promised to do so, because it was an illegal transaction, and you cannot compel me to perform an illegal bargain." I say nothing of the conduct of the officer who made such a defence; but that was the defence, and I refer to it and the judgment of the Court to show that I was justified in stating the opinion by which the hon. and gallant Gentleman says I misled the Commission. The Lord Chief Justice, in giving judgment in the first case, said —

> "The Court must take cognizance of what offices were legally saleable, and they knew that a commission in the East India Company's service was not legally saleable, and no rule of the Indian service could repeal the statute. There must be judgment for the defendant."

In *The Times* newspaper I find the following report of a subsequent case which came before the Court on the 4th of June, 1855:—

> "A rule was immediately obtained for a new trial in the Court of Exchequer. After taking time to consider, judgment was given by the Judges on the 4th of June, 1855. In the unanimous opinion of the Bench, the transaction by which a sum of money was secured to the major of the regiment to which these officers belonged, to induce his retirement, was illegal, and the bond given by the defendant could not be enforced by law. The transaction amounted to the gift of a money consideration to an officer holding a commission in the East India service to induce him to leave it. It behoved the Court to let it go forth that, in its opinion, any tampering with the sale of a public office not only rendered the transaction void, but subjected the parties concerned to the penalties consequent on the commission of a misdemeanor. There must, therefore, be judgment for the defendant."

Well, Sir, I beg to say that I do not think I misled the Commission, and I do not think I misled the House, by what I said on the subject of the illegality of the payment of bonuses, when a Court of Law had stated, in language as strong as any which could be used, that such payment was illegal. I am not speaking in favour of the officers who made the defence; I am speaking of the illegality of the transaction. Having now disposed of these separate points, I will refer to the general terms of the Motion of the hon. and gallant Gentleman. He calls upon the House to vote an Address to the Queen for the redress of all the grievances of the Indian officers, admitted to be such by the Royal Commissioners, but he has not made any attempt to show that the grievances have not been redressed with respect to the cases in which he says I have not fulfilled the promise I made to accept the opinion of the Commission and to act upon it. I will not refer to those cases only, because that would not give the House a fair idea of the difficulties we had to surmount, or the way in which we have dealt with them. I will state the whole course which we have pursued from the first in order to effect the three great measures of amalgamation, change of organization, and reduction of the Indian army. After long and anxious deliberation with the members of my Council we made up our minds what should be done, and despatches were prepared containing all the instructions for carrying out our plan. The whole of the documents and despatches were laid before the Law Officers of the Crown. We did not make a case for them, we merely submitted the papers to them and asked whether there was anything in the instructions which we proposed to give which was contrary to the pledge contained in the two Acts of Parliament. The then Attorney and Solicitor General and the counsel for the East India Company stated that, in their opinion, there was nothing in what we proposed to do which might not have been done by the East India Company, and whatever the East India Company might have done it was within our power to do. Fortified in our opinion by that answer to our question, we proceeded in the course we had determined upon with considerable confidence. Various complaints were afterwards made of the effect of these measures on the position of a portion of the Indian officers, and as I did not wish to stand only on a legal and technical construction of the words of the Acts of Parliament, I referred the question to the Commission which has been alluded to. I do not know whether the hon. and gallant Officer meant that blame attached to me for having appointed a Law Lord to the Chairmanship of that Commission, but I may state that when the state of Lord Dalhousie's health (who had been appointed Chairman of the Commission in the first instance) precluded him from attending their sittings the Commissioners themselves asked me to appoint somebody of legal knowledge and acquirements to the vacant place, and therefore, in nominating Lord Cranworth to the position, I merely complied with their request. I am sure the House will be of opinion that no fairer or more impartial person could have been appointed Chairman than Lord Cranworth, and I am glad of having the opportunity of expressing my obligation to that noble Lord, and to the rest of the Commissioners, for the care and attention they bestowed upon the matter. It is perfectly true, as the hon. and gallant Gentleman says, that the Commission classed the alleged breaches of the guarantee under thirteen heads. They stated that in eight of these there was no just cause of complaint, that in three others there was cause of complaint, and that in two others there might possibly at some future time be cause of complaint. I can unhesitatingly state my belief that in the three cases in which the Commission reported actual causes of complaint to have occurred, I have completely remedied the grievances complained of. In one of the two cases, in which the Committee stated that cause of complaint might hereafter arise, it is quite impossible that up to this time any grievance can have been felt for the rule under which they thought that cause of complaint might arise, has not come into operation. In the cases where there were grounds for complaint which it might be impossible to deal with directly, the Commissioners stated their opinion that it would be fair to give some compensatory advantages to the Indian army, and that this would be a redemption of the pledge given to Parliament; and I trust that, before I sit down, I shall show that, in respect to any possible retardation of promotion in a particular rank, more than ample compensation has been given, as the acceleration of promotion generally and the amount of additional pay given to the Indian army during the last four years has been unexampled. In speaking of the three measures with which we had to deal, amalgamation, change of organization, and reduction, I shall endeavour to keep them entirely distinct. As to the first measure, which is termed amalgamation, I think I shall be able to show that no cause of complaint can now exist with reference to it; and, in making that statement, I may rely upon the admission in the statement now put forward by the officers themselves, that the only complaints which could be said to have any connection with amalgamation have been fully met by our recent measures. The word amalgamation does not exactly express what was done in the matter. What really was done was this. The three old European regiments of Infantry in each of the three Indian Presidencies were invited to volunteer for general service, they being already Queen's troops by the measure of the noble Lord. The soldiers, almost to a man, and nearly the whole of the officers, accepted the proposal. For example, in the three first regiments of each Presidency, out of 119 officers ninety-nine volunteered either for the new Line regiments or for the Staff Corps, and of the remainder eight were already in Staff employment leaving only twelve to be disposed of. The nine regiments thus formed were added to the regular army. A similar course was taken with regard to the three Cavalry regiments, which were formed out of the newly raised regiments of Europeans. Nearly all the officers and men volunteered, and vacancies were filled up in them, as in the Infantry regiments, by volunteers from the rest of the army. Every man who joined did so of his own free will, and I must therefore be permitted to say that, although I have seen some newspapers endeavouring to invent grievances for them, I do not see what possible cause of complaint they can have. It was a voluntary proceeding on their part. They are officers in Queen's regiments, with the right which they had in their old regiments of rising by seniority, and they retain the privileges of the old Indian officers as to retirement and pensions. The Artillery, with hardly any exceptions, volunteered for general service. Their organization was assimilated to that of the old Royal Artillery, which gave them considerable promotion and advantages. The Bengal Artillery, for instance, had thirty-nine field officers before the change, and forty-eight afterwards. The whole of the increased pay and emoluments of the Artillery in the three armies of India given to them in making the late changes amounted to about £75,000 per annum. The only officers who could suffer in any way were some of the older officers, and additional pensions of £200 per annum were offered to them, on which, I think, seven officers retired. A similar course was pursued with regard to the Engineers. The increase of pay and emoluments in their case amounted to about £55,000 per annum. In the mode which I have thus described the European Infantry and Cavalry, as well as the Artillery and Engineers, became part of Her Majesty's general army by their own voluntary act, with an increase of pay and of promotion and retaining their right to retire on the Indian rate of pension. It seems to me that on their part there can be no cause of complaint. There was, however, one measure adopted, and it is the only one to which the expression of "amalgamation" can properly be applied. It was thought desirable, as all the officers of the Queen's and of the late Indian armies were now to receive the same commissions from the Queen, and to be eligible for the service in any part of the world, that the field officers should rise on one list to be general officers. The commencement of this system was postponed so far that it seemed impossible to say whether they would gain or lose by it. The Royal Commission, however, reported that this step was in breach of the Parliamentary guarantee. As the warrant had not come into operation there was no difficulty in cancelling it. Nobody could be injured. The warrant was therefore cancelled, and the Indian officers rise to the rank of general officers as before. It is admitted by the officers themselves that this grievance is completely remedied. There was another complaint admitted by the Commission to be a breach of the guarantee not, indeed, arising out of amalgamation, but as it is connected with the formation of the new Line regiments I may as well mention it here. The Indian officers complained that the non-removal from the cadres of their regiments of the names of officers who joined the Staff Corps or the new Line regiments was a breach of the guarantee. The Commission reported that it was not so as regarded those who joined the Staff Corps, or as regarded those who joined the new Line regiments from the cadres of the European regiments; but that it was a breach as regarded those who joined the new Line regiments from Native regiments. I cannot understand the distinction, but we accepted their view, and removed the latter class from their cadres. This step is also admitted to be a complete remedy. Now these are the only two grievances complained of which have the slightest reference to amalgamation, and I wish particularly to impress this upon the House, because I know that there is a general notion that the alleged grievances arise out of the measure which I myself carried of amalgamation. It is, however, from other measures to which I will refer by-and-by, that any grievances arise which are now said to exist. Out of amalgamation it is not now even alleged that any case of complaint remains. The other two measures we had to carry out were the changes in the organization and a very large reduction in the army. It will be obvious that it must have been within the power of the East India Company to effect both these changes, and that the power which they possessed was transferred to us in all its entirety. On that point the Commissioners said—

> "It could not have been intended to prevent the Crown, if in the interests of India and of the Empire at large it should deem it necessary, from reducing the numbers of the Indian army or altering its organization. It would have been in the power of the Company to make such reductions and changes, and a similar power was transferred to the Crown."

It only remains, therefore, to show how we acted in the exercise of what was unquestionably within our power. I will proceed, in the first instance, to explain the change which we have made in the organization of the Indian armies, an essential part of which was some such measure as the formation of a Staff Corps. The hon. and gallant Officer has talked of the Staff Corps as if it were an extraordinary and unheard of anomaly; but now let us see how that matter stands, and what were the reasons for its creation. In order to arrive at any just estimate of the merits of the system which we have introduced, it is essential to look back to that which existed before. In the Indian army as it existed before the mutiny—and that is the fairest period to take, in order to understand the former state of things — there were two descriptions of force, the regular, and the irregular regiments differing in their organization in several respects, but mainly in the number of officers. Including the armies of the Presidencies, the contingents, and other forces, there were 176 regular and 108 irregular regiments. We have substituted irregular for regular regiments throughout the army of Bengal, where, indeed, the regular regiments had almost disappeared in the mutiny. We have done the same in the army of Bombay, and intend doing so with the army of Madras. Under the old system of the Indian army there were twenty-three officers to each regular regiment, of whom five were placed there, not for duty with the regiment, in order that they might be available for Staff employment. A large number of officers, in political, civil, and other employment, and all officers of the irregular regiments, were, under this system, withdrawn from their own regiments. It will be remembered that this was described as almost the ruin of the Indian army. It was stated that the *élite* of the officers—the picked men—were taken away from their regiments, and those who were left were kept back and discouraged. I might quote the opinions of many very distinguished officers of the Indian army, expressed in the strongest terms to that effect, but I do not wish to do so, because it might be painful to some to hear the expressions that were used. But I may be permitted to quote a short paragraph of a letter from Lord Elphinstone, which will be found in one of the papers on the table of the House, and which states the case very clearly. Lord Elphinstone says—

> "The best regiments in Bengal were the Irregular Cavalry, and the same holds good throughout India. In these regiments you had only three or four English officers, but they were picked men, and so were the Native officers. I would apply this system to the whole Native army—Infantry, as well as Cavalry. The saving of expense would be great, for, if I am not mistaken, one regular Native Cavalry regiment costs as much as three times the number of irregulars. But the saving of expense would be nothing compared to the gain in efficiency."

That is the opinion of Lord Elphinstone, who had been Governor of Madras and was then Governor of Bombay—a man of very considerable experience, and who showed by his conduct during the mutiny how sound his judgment was on such subjects. That extract shows that, in his opinion, by adopting generally the irregular system, the efficiency of the army would be improved, and no inconsiderable expense saved. In the state of Indian finance at that time, with a large yearly deficit, the saving of expense was no trifling consideration, and the same reason is hardly less strong at present. When the whole change is completed, the saving effected by substituting irregular for regular regiments will be no less than £330,000 per annum. We, therefore, determined on this step. It was no measure of mine, pressed by me upon an unwilling Council. The great advocate of the change was Sir John Lawrence, and it was adopted by a large majority of the Council. It then remained to be determined how officers were to be provided for the regiments so formed, as well as for Staff employment generally. The question of providing officers for Staff employment in some other manner than by withdrawing them from their regiments had often been discussed in India, and it was pretty well agreed that the only means of doing so was by the formation of a Staff Corps. Lord Dalhousie was anxious to carry some such measure into effect when the army existed in its original state. There was, of course, great difficulty in the way; but when nearly the whole of the regular regiments of the Bengal army had ceased to exist the difficulty was very much diminished. In 1860, there were 106 regular, and 131 irregular regiments in existence; we acted on the opinions so long entertained and confirmed by the great authority of Sir John Lawrence; we put the army on the irregular system, giving six European officers to each regiment instead of three. Then came the question from whence were the officers for the irregular regiments to be drawn. In truth, there was no resource but that portion of the British army which passes through India in its course of service—there was no other body from which they could be taken. Lord Elphinstone had pointed this out very clearly in the letter which I have quoted before, and Lord Clyde, Sir William Mansfield, Sir Hugh Rose, and Sir Robert Napier all concurred in opinion that, as soon as we had room for the employment of line officers, we should find no difficulty in obtaining their services. At present there is no room for more Line officers than were already in Staff employment, as there are plenty of Indian officers—either in the Staff Corps or available from the cadres — for all the places of Staff employment. There are, however, several Line officers in Staff employment. Now, it is obvious, as regards officers of the Line, who would naturally quit India with their regiments, that in order to retain their services for India they must be withdrawn from their regiments and formed into a corps devoted to Indian service and at the disposal of the Government in India for the various Staff situations in political, civil, or military employment. The formation of a Staff Corps, in order to retain the services of the officers of the Line, then in Staff employment, and in which all Line officers wishing for permanent employment in India would be placed, and as the only source from which ultimately, when the officers of the late Indian armies cease to exist as a separate body, all officers for such employment must be provided, was therefore a matter of necessity. We might certainly have formed a Staff Corps, consisting only of Line officers, but would it have been right to exclude from it all Indian officers? I think that such a course would have given them a just cause of complaint, and therefore it was determined to admit into it also those officers of the Indian army who were in Staff employment, or had been so within three years. The next question was how the officers of the Staff Corps were to be promoted. There could be no establishment, because the number of persons required for Staff employment might vary. If the army was increased more officers would be wanted, if diminished fewer would be required, and in like manner as more or fewer officers were required for the various civil and political situations which have at all times been filled with great advantage by military men. It followed, as a necessary consequence, that the numbers of the Staff Corps must vary with the demands of the service. There could, therefore, be no possible mode of promotion except by length of service. The Commission to which the hon. and gallant Member referred, which was presided over by my noble Friend opposite (Lord Hotham), on the question of amalgamation, made a Report, from which I will read some extracts in reference to this question of a Staff Corps. They said—

> "A Staff Corps to be formed for service in India, to consist of an unlimited number of officers of all ranks. All officers of the local armies and of the Line now holding permanent Staff or detached appointments, excepting such as are purely military, but including service with irregulars, to have the option, subject to the approval of the Indian Government, of being transferred to the Staff Corps or returning to regimental duty. . . . . Promotion in the Staff Corps to be governed by length of service, and to be irrespective of departmental position. . . . . The whole of the officers of irregular Native corps to be on the Staff list. . . . . We conceive, however, that officers so circumstanced must hold a commission for their substantive rank in lieu of their former regimental commission."

We have done what is there recommended. We offered to all the officers of the Indian army who were in Staff employment, or who had been so within a certain time, the option of going into the Staff Corps. We went one step further. We thought it not unfair to give to those officers who had been in Staff employment the benefit of that service as regards promotion as if the Staff Corps had been formed when they went into Staff employment. It is this step which in fact has led to the complaint of supersession. I fully admit that it was the case that officers transferred to the Staff Corps might rise more rapidly in that corps than those who were senior to them in their regimental cadres, and might thus supersede them in army rank. They could not supersede them in regimental rank, for that went on as before, and an order was issued preventing a Staff Corps officer being in any case put over the head of an officer who had been senior to him in his old regiment. The only supersession was in army rank. I remember my hon. and gallant Friend behind me stating the case to me very fairly in this way. He said that at Bangalore, or some other station, there were several Staff Corps officers who had gained rank in this way, and that it was very possible that if their old regiments came there these officers might take precedence at a court-martial of some of their former seniors, or take command of them on parade, or in the field. I may be permitted to say, in justification of the course which we took, that there are examples enough of supersession in rank having been caused by different measures adopted in India under the rule of the East India Company. When my hon. and gallant Friend talks of what he calls the indisputable rights of the Indian officers, he seems to forget that on several occasions the East India Company showed by their acts that they did not recognize these alleged rights. There is none on which he lays more stress than the right of rising in a regiment by seniority. I fully admit that it was only in extraordinary cases that the general practice of promotion by regimental seniority was interrupted. But if the East India Company thought right on extraordinary cases, for the good of the public service, to depart from the rule, that is enough to show that seniority was not acknowledged as a certain and indisputable right. There are examples given in the statements of the officers themselves in which regimental seniority is entirely set aside. It is stated that in the Caubul expedition some regiments lost a great number of officers. One regiment lost four, another five. Four does not seem to be a very great loss in a regiment of eighteen or twenty. Were, then, the officers in the regiment always allowed to rise by seniority in India? ["Yes!"] No, they were not. There are three or four cases stated by the officers themselves, which show that officers from other regiments were placed over officers in the regiments there named. In the 5th Bengal Cavalry four lieutenants were placed above cornets in that way. [Colonel SYKES: They were boys.] Does the hon. and gallant Member mean to say that an officer forfeits his alleged indefeasible right of promotion because he is a young man? In the 5th Native Infantry there were a captain and five lieutenants from another regiment placed above all the ensigns. In two other regiments four lieutenants from other Corps were placed above all the ensigns. In all these cases the officers of the regiment, according to the proposition of my hon. and gallant Friend behind me, had an indisputable and indefeasible right to rise in their own regiment by regimental seniority; but that right was not recognized by the East India Company, and officers from other regiments were put over their heads in their own. We have done nothing of the kind, but I mention these facts to show that the assertions put forward as to these alleged rights are not so well founded in fact as they are asserted to be. We have not, in the slightest degree, interfered with regimental seniority. The officers of the Indian army continue to rise step by step on that basis. The cadet who went into the army in 1860, who has never seen a day's service, and had not even joined his regiment, will rise to the rank of colonel or general officer in a regular course by seniority, by successive steps, with the full pay of the successive ranks which he attains, and without any interruption from the day on which he received his first commission. I come now to other instances of supersession in former years. When the Royal Artillery went to India the East India Company thought it desirable to promote the majors of their own Ordnance Corps as that rank did not exist in the Royal Artillery, and they gave to all the majors of the Artillery and Engineers the substantive rank of lieutenant-colonels. The effect of this was that these officers superseded at one step all the majors of the Cavalry and Infantry of the Indian armies. The junior lieutenant-colonel of Engineers in Bengal superseded 118 majors, and all these officers got substantive rank in their corps. In 1824 the East India Company formed the second battalion of each regiment of the Indian army into a new regiment; and appointed to it half of the officers of the old regiment. In these new regiments the officers transferred to them might rise in substantive rank and pay above their seniors in the old regiment, thus superseding them precisely as an officer rising in rank in the Staff Corps might supersede an officer of his old cadre. Further than that, according to the practice of the East India Company, a lieutenant-colonel might be moved from one regiment to another, so that an officer who had risen rapidly to the rank of lieutenant-colonel in one of these new regiments might have been sent to command his old regiment and so be placed over officers who had been his seniors in that very regiment. We have done nothing of this kind. We have issued a positive prohibition against any officer being put in command of a regiment containing a man who has been his senior in the same regiment. We are accused of departing from the practice of the East India Company by superseding senior officers by juniors, while we have actually prohibited its being done. Now what the East India Company did in this case, of forming the new regiments, that is giving to a great number of officers substantive pay and rank in several new corps by which they might supersede in army rank the officers of the regiments from which they were taken, is precisely what we have done in giving substantive rank and pay in one other new corps by which they might in like manner supersede in army rank the officers of their old regiments. I mention these different cases to show that the Government had some justification for the course they pursued regarding this grievance of which the officers complain, and that we only did what the East India Company had done in repeated instances. The Commission, however, reported that in their opinion this was a breach of the guarantee. Their statement of the complaint is as follows:—

> "But what the officers complain of on this head is, the immediate and prospective supersession in rank of regimental officers by those in the Staff Corps, which was the inevitable consequence of the rules regulating promotion in the Staff Corps, and especially of that which allows previous Staff service to count towards the period of service qualifying for promotion in the Staff Corps."

I accepted their opinion. The question then was how to remedy it. The hon. and gallant Officer has referred to one course which certainly was possible and would have been effectual—namely, cancelling the rank given in the Staff Corps. The gallant Officer behind me (Colonel Sykes) advocated this course, but I never heard of any one else who did so. He stood alone. It would, I think, have been a grievous hardship to have deprived many of the best officers in the Indian army of the rank which they had enjoyed for more than three years, besides which to have sent them back to their regiments would have been injurious in some cases to the officers who had remained with the regiments. The only alternative, therefore, was to give to the regimental officers the same army rank as the Staff officers had obtained. I consulted his Royal Highness the Commander-in-Chief upon the question, because it was one which not only affected the position of the officers of the Indian army, but also that of the officers of the Line. The Duke of Cambridge has shown the greatest consideration for the Indian officers, and has done his utmost to consult their interest in every way. His Royal Highness concurred in the opinion that this was the best mode of dealing with the question. It had been always the custom in the Indian army when a lieutenant had served fifteen years to give him the brevet rank of captain, and to lieutenants in the line of the same standing the local rank of captain was given. It was determined to follow this precedent. Brevet rank to the regimental officers of the Indian army, and local rank to the officers of the Line serving in India was given from the date of the formation of the Staff Corps, so that from that date the whole of the officers of the Indian army, including the Staff Corps, will be promoted in army rank after the same periods of service. The Bombay Government remonstrated against this order as causing some supersession of the Staff Corps' officers, and of some fortunate officers who had been lucky in obtaining their promotion, and their remonstrance was sent to the Government of India who referred it to Sir Hugh Rose, the Commander-in-Chief in India. Sir Hugh Rose, an officer who has taken the greatest possible interest in the whole of this question for four or five years reported upon it to the Governor of India, and I may be permitted to read his opinion upon the mode of meeting the grievance which we adopted. It is as follows:—

> "Under the measures directed by the right hon. the Secretary of State, the chief cause of complaint, as frequently brought to the notice of Government by his Excellency—namely, the supersession of regimental officers by their juniors of the Staff Corps—has been removed entirely. It may at the same time be observed that, while some officers will continue to suffer supersession, the privileges now conferred on the army generally are specially advantageous to the officers who have not joined the Staff Corps, and to those who have been unfortunate in their promotion. It is not for the Commander-in-Chief to question or discuss the measures deliberately sanctioned and directed by Her Majesty's Government in redress of the grievances of the officers of the Indian service, but his Excellency may be permitted to say that, without cancelling the amalgamation arrangements altogether, he does not think that a more equitable scheme could have been devised than that which the Bombay authorities desire to suspend."

The Government of India, in forwarding copy of the above letter, says—

> "It is scarcely possible that extensive changes in the army should ever be made without unfavourably affecting the position of some individuals relatively—that is, as compared with that of some others—and the instance in question is no exception to this rule. But we think that there can be no doubt that, by the measures ordered in your despatch, substantial hardship in the matter of promotion is avoided."

I do not know that anything that I can add could be more satisfactory or could be stated more clearly than that opinion of Sir Hugh Rose. I do not think, therefore, that I need say anything more upon this subject, and I beg the House to observe, that if this be so, the three cases in which the Commissioners reported that just cause of complaint had occurred are entirely remedied by the measures which we have taken on the Report of the Commission. In two of these cases it is admitted by the officers themselves that the grievances are completely remedied, and in the third I think that I have now shown that our remedial measure is not less complete. I come now to the last great measure which we took, and out of which arose two contingent grievances, if I may so call them—the reduction of the Indian army. It was within the power of the East India Company to have reduced their army as it was within our power; and certainly, in the circumstances of the time, it would have been their duty, if the Company had been in existence, as it was our duty, to make that reduction. I doubt whether the House is at all aware of the extent of that reduction. The whole Native force, including the contingents, and other forces, numbered previous to the mutiny 265,000 men. Now, the only source of danger arose from our Native army. The princes and people were all faithful, and it was the army alone which caused our difficulty, and it was therefore clearly incumbent upon us to reduce that over-grown force. Nor was there any means of providing for the payment of the increased European garrison of India, which everybody considers to be indispensable, smaller in numbers, but far more costly than the Native army, except by diminishing the expense of the latter. This was accordingly done. The Native soldiers were discharged with pensions or gratuities. The officers are all retained on full pay. The gallant Officer has referred, not quite correctly, to what I have said about placing the Indian officers on half-pay, and has denied that there was any half-pay in the Indian army. I admit that there is no half-pay of the same character as that of the British army. What is termed half-pay in India is, in fact, a lower rate of pension. But what I have said, and I say again, is, that when the British army was reduced after the peace of 1815, a great number of officers were placed on the half-pay of their rank, and there they remained, were never promoted, or got anything more. The same thing occurred in the navy. The same thing takes place on any reduction—the officers are placed on half-pay. Now, I certainly stated this to show in how different a manner we had treated the Indian officers. I do not know why, if a large reduction had been made by the East India Company, they would not have been warranted in placing their supernumerary officers on some rate of pension proportioned to their pay. It is quite true that there never has been any great reduction in the Indian army. The continually increasing size of our Indian Empire never allowed of any large diminution of their military force. The only case of reduction complete in itself, though not large in amount, was the reduction of the St. Helena Establishment; and in that case the officers received a retiring allowance somewhat more than the pensions of their respective ranks. I do not know why some such course might not have been taken on a reduction of the armies of India. We did not, however, adopt any such course. We have given—and this is the least advantageous position in which they can be placed—to all Indian officers full pay and promotion to the end of their career in the service. But we certainly thought that we were warranted in making some small reduction of officers on so large a reduction of the army, and it is out of the very mild measure for this purpose that the first of the possible breaches of guarantee, as stated by the Commission, may arise. We thought that with the reduction of the number of regiments, there might fairly be some reduction of the colonels' allowances. Let the House remember what colonels' allowances really are. In former times colonels were paid by the profits on the clothing of their regiments. If there were no regiments to be clothed there could be no profits for the colonels; and in like manner when an annual payment—the colonels' allowances—was substituted for the profits of clothing, the colonel's allowance would cease also when the regiment ceased to exist. We reduced the Native army by 135,000 men, or by 101 regiments, of which from sixty to seventy were regular regiments. Consequent upon this reduction was there to be no reduction of officers? The first question naturally was as to the possible reduction of the number of colonels' allowances. Upon this subject Lord Hotham's Committee, to which I have referred, reported to the following effect:—

> "If in the process of passing from a war to a peace establishment any regiments are reduced absolutely, and the strength of the army reduced to a corresponding extent, then the number of colonels must necessarily be reduced also, and the number of allowances at the same time."

Of course, we never thought of taking the allowances away from those who had enjoyed them, or of reducing them all at once. We did propose gradually to reduce the number of colonels' allowances. We proposed, in the first instance, to fill up only three vacancies out of four. It is not unusual, I believe, in cases of reduction, to fill up only alternate vacancies, but we gave a much larger proportion. This, of course, would have caused some retardation of promotion, as there would be fewer colonels' allowances to which officers could rise. Changes of various kinds, and of a complicated nature, were afterwards proposed, into which it is unnecessary that I should enter, and the ultimate arrangement was that there should be an unlimited number of colonels' allowances, but that lieutenant-colonels who attain that rank, after a certain date, should only attain to the colonels' allowances after a service of twelve years in the rank of lieutenant-colonel. This term was shorter than the average period in the Madras army, longer than that in the armies of Bengal and Bombay. The possible retardation arising out of this measure—for none has occurred as yet, and I very much doubt whether any ever will occur—is alleged to be a departure from the pledge to treat the Indian officers as the East India Company would have done. Now, it happens that the only reduction made in the East India Company's time, that I am aware of, was in 1828. In that year two lieutenants were reduced in each regiment. These officers were kept as supernumeraries in their regiments until by casualties among the officers above them they could be absorbed. Of course, till this was done, the promotion of all the officers below them was retarded. Our measure, therefore, by which some retardation of promotion might be caused, was in strict accordance with what the East India Company had done, and I can hardly admit this to be a breach of the pledge. Another measure, one of the effects of which was of a somewhat similar character, was also taken at the same time. We gave an extraordinary bonus, in order to induce the older officers to retire. About 300 officers accepted the terms, but we did not feel ourselves bound to fill up all the vacancies created by this extraordinary measure. We filled up only half the vacancies on the list of lieutenant-colonels, giving, however, all the other promotions consequent thereon. In consequence of this extraordinary scheme of retirement 49 officers were promoted to be lieutenant-colonels, 87 to be majors, 123 to be captains, and 190 to be lieutenants. It was considered by four members of the Commission that the retardation arising out of this measure might lead to a breach of the guarantee. Three members, including one of the two Indian officers, thought that when a costly measure of retirement entirely out of the ordinary course was given, it was not incumbent on us to fill up all the vacancies, and that it was only fair, when so large a reduction of the army was to be made, that some gradual reduction of the higher rank of officers should take place. I hope the other members of the Commission will forgive me for thinking that this is the more reasonable view of the case. I hope, too, that they will forgive me for saying that I do not think that any small retardation of promotion which may arise out of these two measures—firstly, not keeping up as many colonels' allowances as before, for an army reduced nearly to one-half of its former strength—secondly, not filling up all the vacancies caused by an extraordinary retirement can fairly be considered as a breach of the pledges given by Parliament. The only ground on which it is supposed that they may lead to it, is that they may in some degree retard the attainment of colonels' allowances. I doubt whether, in point of fact, any officer will be retarded, with reference to his whole period of service, in the attainment of his colonel's allowance. I will now proceed to show to what extent we have given increased pay and promotion to the officers of the Indian army, so that I believe I am fully entitled to say that never in its history was their position, in point of pay and prospects of promotion, so good. The Commission reported that if it was impossible to retain all the advantages enjoyed under the East India Company some counterbalancing benefit should be given in compensation for them. I do not know what I have taken away, and I will now proceed to state what we have given in pay, pension, promotion, in all that is of advantage to the officers; and I think the House will admit, when they have heard my statement, that what we have given is ample and more than ample compensation for any possible loss of advantage if, which I do not believe possible, that loss can be shown. I begin with pay. I have already mentioned the increased pay to the Artillery and Engineers; and I may now state, without going into particulars, that the whole charge imposed upon the revenue of India consequent upon the increased promotions and pensions recently given has amounted to a little more than a quarter of a million. That charge will, of course, be diminished as pensions fall off, but the immediate effect of our measures was to increase the pay, pensions, and emoluments, in one shape or another, of the existing officers to that amount. I come now to promotion, and in this respect I must say that it is not fair to consider only what may occur in one particular rank. The promotion given in the whole of an officer's career should be taken into account; and I will state to the House two or three examples of the extent to which promotion has been accelerated by the measures we have adopted. It must be evident that no measures can affect the highest ranks. Vacancies in the rank of colonels only occur by death, and the tendency in the Indian army, up to the time of the mutiny, had been to prolong the period of service. The length of service of the colonels at that period and now, is more than it was in 1849. But we could produce an effect upon the lower ranks, and more, of course, as we go down in rank. One of the complaints of the Indian officers was, that we had not removed from the cadres the names of the officers who joined the Staff Corps and Line regiments, and given promotion in their room. This would have led to the most unequal and unjust supersession. For instance, in one regiment of Bombay Infantry, the major, all the captains, and the three senior lieutenants, joined the Staff Corps. If the demand, made in the memorials from many Indian officers, had been acceded to, the fourth lieutenant would have at once become major. He was an officer of nine years' service, and he would have superseded the senior captain of the next regiment on the other side of the page in the *Army List*, an officer of twenty-one years' service. It is not a little remarkable that those who complain so violently of supersession by our measures, should have themselves proposed a measure which must have led to greater and far more unequal supersession than any which could have resulted from our measures. But the same objection does not apply to removing from the list of regimental field officers of the Inpian armies the names of such officers when they attain the rank of lieutenant-colonel, for then, throughout all the regiments of the army, the promotion in their place goes equally in their turn. Every regiment gets its fair share of the promotion. After the Report of the Commission, and in addition to the measures for the remedy of the admitted complaints, we determined on removing the names of all Staff Corps and new Line officers from the before named lists on their attaining the rank of lieutenant-colonel and giving the consequent promotions to the regimental officers. The immediate effect of this step was to promote 35 officers to be lieutenant-colonels, and in 63 regiments captains got a step nearer to that rank. The prospective effect may be judged of from the fact that in the Bengal cadres there are now 82 majors, of whom 48 are in the Staff Corps or new Line regiments. They will go off those lists altogether on becoming lieutenant-colonels, and the promotion of the remaining number of majors in the cadres, that is, 34, will promote 82 captains. The immense effect of this measure in rapidly accelerating promotion is obvious. Since our measures have come into operation promotion has become much more rapid. I will compare the time of service in two ranks, that of lieutenant-colonel and major in the last year before the mutiny, and in the present year. The average length of service of the lieutenant-colonels in the three Indian armies on the 1st of January, 1857, and the 1st of January, 1865, were respectively—In the Cavalry—Bengal, 37 years 6 months and 37 years 3 months; Madras, 37 years 6 months and 35 years 3 months; Bombay, 33 years 3 months and 28 years. In the Infantry—Bengal, 36 years and 35 years respectively; Madras, 38 years and 37 years; Bombay, 36 years and 34 years. Then, coming to the majors, I find that the average service has diminished in the Cavalry—Bengal, from 33 years and 4 months to 22 years and 6 months; Madras, 34 years 4 months to 25 years 6 months; Bombay, 33 years to 29 years. So with regard to the Infantry, there has been a diminution in the average period of service of from four to five years, so that a considerable acceleration of promotion is clearly traceable to the operation of our measures. In 1857 I find that the 20 junior colonels of Bengal Infantry had obtained that rank in 44 years and 9 months. The 20 junior lieutenant-colonels in 1865 will attain the rank of colonel under the 12 years' rule in 38 years 9 months—an acceleration of 6 years. Now, let me call the attention of the House to this fact, as bearing upon the alleged hardship of the rule for 12 years' service in the rank of lieutenant-colonel. If the officer attains his colonel's allowance in the same time as before, but of that period passes 12 years instead of 10 in the rank of lieutenant-colonel, the additional 2 years in that rank must be deducted from the time of his service in some lower rank, and at any rate he gains the advantage of lieutenant-colonel's pay instead of the pay of some lower rank for 2 years; but if he attains the colonel's allowance 6 years sooner, then 8 years is to be deducted from his service in a rank below that of lieutenant-colonel —he gains for 2 years the higher pay of lieutenant-colonel, and for 6 that of colonel's allowance. Surely so far from there being any cause of complaint, there is great advantage to the Indian officers from our measures. I will now compare the average length of service of the 20 junior lieutenant-colonels in the three armies on 1st January, 1857, and 1865. Their service was at the above periods respectively —Bengal, 34 years and 30 years; Madras, 36 years and 32 years; Bombay, 36 years and 30 years; showing a gain of 4 years in two Presidencies, of 6 in the other. The average periods passed in the rank of major has been diminishing to the following extent in the three Presidencies respectively, Bengal, 2 years and 8 months, Madras, 3 years and 8 months, Bombay, 3 years and 4 months. Lastly, let me take the number of promotions to substantive rank in the three Indian armies in the four years ending 1857 and the four years ending 1865, being the last four years of the ordinary state of India before the mutiny, and the last four years since the constitution of the Staff Corps and commencement of our measures, and I think the House will be astonished to find what an extraordinary increase of promotion has taken place. I find that there have been promoted to the rank of lieutenant-colonel in the first period, 84 officers, and in the last, 223; to the rank of major, 142 in the first, and 534 in the last period; and to the rank of captain, 585 in the first, and 616 in the last period; but, of the 585 captains in the first period, no less than 176 are due to augmentations of the army, leaving the natural promotions at the number of 409. I will not trouble the House with further details. I think I have shown that in respect of pay, pension, retirement, and promotion, so far from the position of the Indian officers having been prejudiced, that the promotion has been of unexampled rapidity in every rank, except the highest, which no measure could affect, and that the position of officers in that army at this moment is infinitely better than it would have been if our measures had never been adopted. I trust, therefore, that the House will be convinced that there remains now no just cause of complaint, and I earnestly hope that these discussions may now cease. They are unsatisfactory to all parties, and lead to expectations which cannot be fulfilled. All things are unsettled by these discussions, discontent is produced, and as long as this agitation is kept up no one is satisfied with his position. The measures which have been recently adopted, have been so beneficial to the regimental officers, that officers of the Staff Corps, officers of the new Line regiments, and retired officers, have asked to be allowed to revert to their cadres. What will be the effect if more is to be done for them? The whole Indian army will be disorganized. I entreat the House to give no encouragement to what would be an evil of such magnitude, and to show by their vote to-night that they believe that, in acting upon the Report of the Commissioners, we have dealt with the subject in a fair and generous spirit towards all parties.

COLONEL SYKES: Sir, the question before the House is one of very grave import, more than 712 British officers and gentlemen, comprising 23 general officers and 280 field officers, have appealed to the House in individual petitions to redress wrongs for the violation of their rights and privileges by the Secretary of State for India, and which were guaranteed in two separate Acts of Parliament. My right hon. Friend has, in my opinion, in his speech, very unfairly endeavoured to diminish the weight and sincerity of those 712 petitions of British gentlemen, by adducing a solitary instance of a recreant petitioner who denied the object for which his sole signature had been attached to his own petition. I would fain hope, for the honour of a British officer, that my right hon. Friend has been misinformed. But though he had made out a dozen cases of unfounded grievances, the remaining 700 are entitled to consideration. But the question is not confined to the wrongs of individuals; it involves also the larger and more important question of the adoption of a new policy in the military government of the Empire of India, in which lie dormant the seeds for future development of inevitable disaster. I will, however, on the present occasion, confine myself to the question of the redress of grievances, and reserve the consideration of the new military policy to a future time. I shall have to prove to the House that the whole of the wrongs inflicted, and the present serious discontent, are traceable to the rejection by my right hon. Friend the Secretary of State for India of the advice given to him by several official bodies and distinguished officers, all of great experience, whom he had consulted. After the mutiny of the Bengal army, with the exception of fourteen regiments of Infantry—a mutiny brought about by the ignorance of the military authorities of Native character and their intolerance of Native prejudices, and which mutiny might have been averted without any sacrifice of authority—it pleased the British Government to withdraw the administration of India from the East India Company who had raised up that glorious Indian Empire, and to transfer to the Crown their civil and military servants. In the case of the military servants their existing rights were guaranteed by a clause in Act 21 & 22 *Vict.* c. 106, dated 2nd August, 1858, incorporated by the noble Lord the Member for King's Lynn, who was then India Minister, which enacts, section 56, that the officers and soldiers should be entitled to the like pay, pensions, allowances, and privileges, and the like advantages as regards promotion and otherwise, as if they had continued in the service of the East India Company. This it might have been thought was a sufficient guarantee; but between the Act 21 & 22 *Vict.* c. 106, and the Act 23 & 24 *Vict.* c. 100, the Ministry had changed, the Conservative Government had gone out and Lord Palmerston's Government had succeeded, and it was thought needful, on the introduction of the European Forces Bill, that the Liberal Government should endorse the guarantees of the Conservative Government. Accordingly, the following clause was proposed by Mr. Henley, in the Act 23 & 24 *Vict.* c. 100. The right hon. Gentleman the Secretary of State for India (Sir Charles Wood) assured the House there was not any necessity whatever for the introduction of the clause, for it was fully intended to carry out the previous guarantee in good faith, nevertheless, if pressed, he would cheerfully accept it. Accordingly it was enacted—

> "That the advantages as to pay, pensions, allowances, privileges, and promotions, and otherwise, secured to the military forces of the East India Company, by the Act of the 21st and 22nd year of the Queen, cap. 106, secs. 38, 56, and 58 respectively, shall be maintained in any plan for the re-organization of the Indian army, anything in this Act contained notwithstanding."

Here, therefore, both sides of the House of Commons guaranteed in the fullest manner to the officers on their transfer to the Crown their then existing rights and privileges, promotion, allowances, &c.; and be it remembered the guarantee was of every right then possessed. The first questions the House will necessarily ask are, What were those rights and privileges so guaranteed; and secondly, in what instances have they been violated by the Secretary of State for India?

Sir, from my boyhood I have been an officer of the Native army of India, I have passed through all its grades up to my present rank, and my duties in India, and subsequently as a member of the Court of Directors of the East India Company for nineteen years, necessitated a knowledge of the organization, constitution, rights, and privileges of the military servants of the East India Company. May I not, therefore, with propriety, ask the House to accept and give its confidence to my testimony as to what the guaranteed rights and privileges really were, independently of the statements of the petitioners to the House.

1st. The cadet on being appointed by the Court of Directors to the East India Company's Military Service, had conferred upon him the right to succeed to the highest rank of the service by seniority, unless disabled by sentence of a court-martial.

2nd. On his appointment to a regiment he had the right to succeed by seniority as vacancies occurred, whether by deaths, resignations, or transfers to new regiments to the rank of major in his regiment.

3rd. After becoming a major regimentally he fell into the line of field officers of his arm of the service in the army, and had the right to succeed by seniority as vacancies occurred to the rank of full colonel with colonel's allowances.

4th. He had the right to succeed to the command of a company and to the command of his regiment in case it became vacant, while he was senior officer.

5th. It was his right that no officer belonging to any other regiment should be put into his regiment to the prejudice of the above rights.

I have myself exercised all these rights, and for more than half a century never knew a case of their violation, except in a modified and exceptional instance after the massacre at Cabool, and on that occasion it was to prevent the supersession of senior officers by junior officers. The officer's regiment was his fixed home until he became a lieutenant-colonel; and thus, by long association with the veteran Native officers and men, a mutual sympathy and confidence grew up.

6th. It was also a right, that although brevet rank might be conferred for distinguished services, no officer could supersede a regimental officer by having conferred upon him substantive rank in the army independently of regimental succession. These were the rights twice guaranteed by the House of Commons, and there is not one of them that has not been violated by the Secretary of State for India, in the person of some one officer or other. My right hon. Friend asserts, absolutely, that he has not altered the right of succession by seniority that—

> "The cadet (I quote his words) who went into the army in 1860, who, perhaps, would never see a day's service, will rise to the rank of colonel or general officer in a regular course by seniority, by successive steps, and without interruption from the day he enters."

The House will learn with surprise that the Secretary of State for India has concealed from the House the fact that officers not in the Staff Corps have no longer regiments in which to rise; that the regiments exist upon paper only; that there is no company to command or succession to the command of the regiment with the respective command allowances, to which before the re-organization the officers had a right. This surely, therefore, is a violation of the Parliamentary guarantee of their rights. The Secretary of State for India also maintains that the exceptional case of the removal in Bengal of a few subalterns from their own corps to regiments which had suffered in the Cabool massacre, justify his acting in a similar manner at his pleasure for the three armies of India at large. This I entirely deny. The object of the Company in the case alluded to by the Secretary of State was to prevent some cornets or ensigns who had not been with their regiments at Cabool superseding old lieutenants of other regiments. Some lieutenants were, therefore, put over the cornets and ensigns. The object was good, but myself and other directors strongly objected to the measure at the time because it violated a principle. Other rights of the Company's officers were comprised in fixed retiring pensions and annuities to widows and children; commands of brigades and divisions, &c. The privileges of pay, allowances, furloughs and otherwise, to an officer, were of the most liberal character from his generous and considerate masters the Directors of the East India Company. But a privilege which to the Indian officer was of vital importance was that of the Regimental Bonus Fund, twice officially sanctioned by the Court of Directors and the Board of Control, and consequently by the British Government in May 1838. Notwithstanding the adverse climate of India, promotion was very slow in the Indian army. I was myself sixteen years a subaltern; many were a longer period, and Mr. Babington, of the Madras Cavalry, was ten years a cornet. In consequence, before an officer could attain a rank, the pension of which would justify his retirement from the service, advanced age and broken down health affected his efficiency, and it was a matter of public policy, therefore, to encourage officers so cirumstanced to retire, and this was done by each officer of a regiment contributing voluntarily in proportion to the advantage he was to derive from a step to a Regimental Bonus Fund; and an officer was frequently obliged to borrow money to pay his quota; but as on his own retirement a much larger sum would be presented to him, his contribution was cheerfully made. Another privilege enabled colonels and major generals to remain in India after promotion upon Indian allowances. Cavalry officers were entitled to Cavalry pay; and officers holding regimental commands were entitled to prescribed allowances.

The preceding constituted the chief rights and privileges of the officers of the East India Company's armies, which were guaranteed to them by two separate Acts of Parliament. With a full knowledge of the rights and privileges enumerated, the Secretary of State for India resolved to amalgamate the armies of India with that of the Crown, and establish a Staff Corps, and effect a re-organization of the three armies of India, which the Act of 1858 did not contemplate, and my right hon. Friend has just told the House that everything he has done has been done with the advice of his Council—the present Viceroy of India and other great functionaries—but the following extracts from the Parliamentary papers will prove to the House that the memory of my right hon. Friend is singularly treacherous. He first referred the consideration of the *modus operandi* of his projected changes to the Military Committee of his own Council. This Committee consisted of the present Viceroy of India, the present Sir J. Willoughby, Lieutenant General Sir R. Vivian, K.C.B., Colonel Durand, C.B., at present Military Secretary to the Government of India in the Foreign Department, and Captain Eastwick, all gentlemen of great Indian experience. Their Report is dated June 30, 1859, and they unanimously adopt the following language, embracing the consideration of the re-organization, the amalgamation, and the establishment of Staff Corps in India. Paragraph 8—

> "To the amalgamation advocated by the majority of the Royal Commissioners, the Committee perceive other and almost insurmountable obstacles. The first is that it would occasion a breach of the Guarantee Clause 56."

Paragraph 14—

> "Except at exorbitant cost to the State the Committee have failed to discover any practicable suggestion by which the inherent difficulties of amalgamation are attempted to be met."

But the present Commander-in-Chief in India, Sir William Mansfield, then Chief of the Staff, in a memorandum dated June 5, 1859, very unhesitatingly solves the difficulty by recommending a breach of faith in the following words:—

> "I believe that whatever may have been our opinions before on account of political convenience and the guarantees given by Parliament to the officers of the Indian army, all the considerations must be swept entirely away."

Again—

> "It is necessary to look the state of things straight in the face and blot out altogether all local and partial or class considerations, the Parliamentary Guarantee being provided for in some other manner as best may be done."

These observations were recorded on the occasion of the local European troops insisting upon their rights, when a breach of faith was attempted with them. In a second memorandum dated September 26, 1859, Sir William Mansfield is equally unscrupulous in saying that, in his opinion, instead of the guaranteed pensions to Indian officers on their retirement, it would be better to give them the "home system of a scanty half-pay." In opposition to the views of Sir William Mansfield for the abolition of a local European force and amalgamation, the present Viceroy of India, Sir John Lawrence, speaking from thirty years experience, strongly advocates its maintenance in a memorandum dated the 17th December, 1859, and these views are strongly concurred in by Colonel Durand, Captain Eastwick, Lieutenant General Sir R. Vivian, and Colonel Sir Proby Cautley. Sir John Lawrence says—

> "I need not add that these views, in my opinion, embody a sound policy, and the time is not far distant when it will be found absolutely necessary to revert to it."

A military despatch from the President and Council in Calcutta, dated 7th January 1860, gives cover to a memorandum of Sir

James Outram, in which is the following paragraph:—

> "Believing as I do that that measure (amalgamation) if carried out will prove most injurious to this country, and that it will inflict grievous injustice on the servants of the East India Company, I have deemed it my duty to record a solemn protest against its adoption."

This is concurred in by the present distinguished Governor of Bombay, Sir Bartle Frere, K.C.B., under date 7th January, 1860, who emphatically records—

> "That the interests of India, and therefore those of the Empire at large, require that the army of India shall henceforth be, to the same extent as heretofore, a localized army 'serving in India."

Even, Mr. Wilson, as a member of the Council of India, in a Minute dated 8th March 1860, in his short experience testifies to the necessity of having localized Europeans in India, whether civil or military, to insure a proper influence with the people. In a memorandum of Sir William Mansfield, addressed to Earl de Grey, dated 13th November, 1859, he says—

> "It is certainly very desirable not to touch the armies of the two minor Presidencies for the present, if it can be avoided."

And yet, on giving up the command of the Bombay army, he published a general order, dated the 14th March, 1865, in which he assumes great credit for having carried out the amalgamation scheme in all its mischievous accompaniments of conversion into irregulars, and establishing the Staff Corps, and consequent superseding of senior officers. The Report of the Military Committee of the Indian Office Council already quoted, was in such complete opposition to the views of the Secretary of State for India that he resolved not to lay the Report before his Council, or consult his Council at all upon the subject of amalgamation and the suppression of the local European army. This determination produced the following Minute or Protest, dated 5th July, 1860:—

> "If on any grave question it is competent to the Minister to set the Council on one side, and to consult them or not at his pleasure, it is obvious that the objects of the Legislature will be frustrated, and that the Council must entirely fail in the efficient performance of the duties intrusted to them by Parliament. We are, therefore, of opinion that the course adopted by the Secretary of State in refusing to bring the Report of the Political and Military Committee on the future organization of the Indian army before the Council, or allowing the subject to be discussed there, is contrary to the provisions of the Act of the 21 & 22 *Vict.* 6, 106.

Colonel Sykes

This is signed by the present Viceroy of India (Sir John Lawrence), and 13 other members of the Council, the signature of one only being wanting. But this was not all. The Military Finance Commissioners sitting in Calcutta reported by special instruction from the Viceroy of India (Lord Canning), in May, 1860, before the Secretary of State for India formed Lord Hotham's Commission, that the formation of a Staff Corps could not be affected without involving the Government in a very serious expenditure, creating great difficulties in the service, and entailing upon the Government a variety of complications, and they recommended the maintenance of the regimental organization. This was signed by Major General Jameson, the present Auditor of Indian Accounts, and Colonel Balfour, both engaged in reorganizing the finances of India after the mutiny; the latter ably, energetically, and successfully completing the work after Colonel Jameson had left India. My right hon. Friend looked to Lord Hotham's Commission for aid and support, which he had appointed on the 30th July, 1860, and which made its Report on the 30th August 1860; but here again the India Minister was not to meet with complete satisfaction, for it pointed out serious difficulties ahead. On the subject of the appointment of a Staff Corps, Sir P. Melville

> "Saw so many difficulties and injuries resulting from it to the extent even of rendering it impracticable;"

and distinctly recommended that the attention of the Government of India should be called to them. Nevertheless, at page 5 of the published case of the Grievances of the Indian officers, it is stated that the Secretary of State for India kept the Government in India in ignorance of these objections; thus, in fact, taking upon himself the very grave responsibility of being the cause of all the injuries of which Indian officers complain, and of the discontent which is the consequence; for unquestionably, had not the Staff Corps on its present footing been established the chief grievances which have reached the House of Commons would have been obviated. Lord Hotham's Report contains several remarkable recommendations which, if they had been adopted, the present discontent would have been less. The establishment of a Staff Corps, or rather List, was certainly suggested, but with qualifications and an alternative proposition, and it contemplated the removal of the officers from their own regiments, who were appointed to the Staff Corps in the following words:—

> "Officers will not be finally removed from their regiments, and transferred to the Staff Corps until after a period of probation, and they become permanently appointed to the Staff."

This has not been done: above 1,300 officers have been permanently removed to the Staff Corps, but their names are retained in their regimental lists. Moreover, at the end of paragraph 5, the Report says—

> "By applying the principles which have been laid down in raising new regiments, and generally in all army augmentations.

These principles were the absolute removal of officers from their own to the new regiments. Had the Secretary of State for India adopted this recommendation, which was in accordance with the usages of the service, one of the principal grievances of regimental officers would not have arisen. Paragraph 6 of the Report recommends retirements of senior officers. It recommends increased pensions of £150 to £200 per annum, or a bonus; but expresses a belief that no old officer would retire with a less bonus than £2,500 to £3,000. An increased pension has been given to some old officers, but not any bonus. What the petitioners ask for is, that all their confiscated contributions made to the regiment's retiring fund may be returned to them, as a bonus on their own retirement from the service; but the Secretary of State refuses to act upon the recommendations of the Commissioners. Again, in paragraph 7, the Commission use these words—

> "If the present organization is maintained, and it was maintained in the Madras and Bombay armies, we feel some difficulty in suggesting that promotions shall not be made in room of every one of these retirements."

And, in the next paragraph, speaking of retirements in the Engineers and Artillery, it says—

> "We conceive it would be absolutely requisite to promote in the room of these retiring, and so with any Corps that is maintained."

The Secretary of State for India, nevertheless, unhappily found no difficulty in deciding against the Commission, and he has placed sixty-one field officers of the three armies on the pension list without filling up their vacancies, and has, therefore, violated the usages of the service and the guarantees; and finally, with respect to the prize of all regimental officers, the colonelcy, and its allowances, the Commission say if they are reduced—

> "It is almost useless to add that any measure which retards the flow of promotion, and postpones the prospect of succession to the highest paid rank of the service, must inflict a very heavy disappointment and carry with it the sense or serious injury, if not of positive wrong, in the minds of the officers of the Indian army."

Nevertheless, the Secretary of State has reduced the number of colonelcies, and added two years to the previous time in which lieutenant-colonels had obtained the prize, and in the Artillery the number of colonels have been reduced from twenty-four to fourteen. The officers of the Indian army, therefore, complain that they have been wronged. Now these were recommendations of seven of the most distinguished and experienced officers of the Royal and Company's Armies, which have been treated so lightly by the Secretary of State for India. Who, then, have been the advisers of my right hon. Friend —certainly not his own Military Committee—less so his Council; the present Viceroy of India was opposed to his amalgamation views, so was Sir James Outram, the present Governor of Bombay, and a host of other experienced officers and public servants. Will my right hon. Friend, then, tell the House upon whose fatal advice he acted, if he had any advisers at all? Well, Sir, the order or warrant for the amalgamation was nevertheless dispatched to India, and promulgated in general orders in India on the 10th April 1861; and it was so unintelligible that no less than 129 questions were put to the Government of India, and by it to the Secretary of State, for interpretation. A Parliamentary Return, No. 5 of 1862; records these questions together with a supplemental list of 146 questions, in all 275 questions for the explanation of a general order! The order or warrant completely subverted all the rules and regulations which had governed promotion in the Indian armies ever since the year 1796; officers were promoted to substantive rank and pay independently of regimental seniority; the consequence was multiplied supersessions of their brother officers, multiplied petitions to the Secretary of State for India, all of which were unredressed, and at last, in despair, at whatever risk to their personal interests, the officers poured in petitions to the House of Commons. The attention of the House was called to these petitions and the prospect of a serious discussion, and the probability of an adverse majority, led to the appointment of Lord Hotham's second

Commission to investigate the grievances. But not one of the petitions presented to Parliament were referred to the Commission. *Vivâ voce* evidence was not taken, the Officers Grievances Committee was called upon to make its statement, but the counter-statement of the Secretary of State for India the Officers Committee were not permitted to see, and the officers felt convinced, if they had had an opportunity for a thorough explanation, they could have satisfied the Commission that the Regimental Bonus Retiring Fund was no more illegal than the purchase of Commissions in the Royal Army, indeed less so. On the 9th of November, 1863, the Commission reported that the Parliamentary guarantee had been departed from in five instances; two of these have been since redressed, but three still remained unredressed—namely, supersession of local officers by Staff Corps officers, secondly, retaining the names of retired lieutenant-colonels on the Army List, and thus retarding promotion, and thirdly, fixing twelve years instead of ten for a lieutenant-colonel obtaining his colonelcy. These are all violations of the guarantee. But a leading feature of all the 712 petitions presented to Parliament this Session is a grievance which presses with disastrous severity upon all officers, except those of the Staff Corps. It is the practical confiscation of all their contributions to Regimental Retiring Funds to assure a Bonus to retiring officers. The Royal Commission, on the evidence afforded to it from the India Office, concurred in the opinion of the Secretary of State for India that all such contributions were illegal, upon the supposed operations of the Act of George III. against the sale of offices. But that Act applied to a Government office bearer, selling his appointment to another, in a personal transaction. The operations of the Regimental Retiring Funds had no analogy to such a state of things; an old and senior officer in a regiment, as I have already stated, with his health broken down and encumbered with a growing up family, cannot retire upon the pension to which he is entitled, because it is insufficient for the support of himself and family in Europe; but he says to his regiment, if you choose to repay to me the sums I have myself contributed to the Regimental Fund, and the value of my present position, I will make way for the advance of my juniors. The contribution was made by the body of the officers, and the major or lieutenant-colonel retired, and this was literally in the interests of the public service, for otherwise a broken down and inefficient officer would have been compelled to drag on a miserable existence in India. So thoroughly satisfied were the Court of Directors and the Board of Control, and consequently the British Government, of the advantage of this system to the public interests, that they approved of it in two despatches to the Government of India. The importance of the Bonus to the retiring officer and his family, is shown by the amounts paid. In the officers' "Case" at page 11, it is stated that Major General Pears, now Military Secretary at the India Office, received £6,000 from his regiment on his retirement. He (Colonel Sykes) has known a lieutenant-colonel of Cavalry receive £7,000, and a lieutenant-colonel of Artillery who was near his colonelcy and off-reckonings even more. It is most ungenerous, therefore, in the Secretary of State for India, to take advantage of a supposed legal impediment and a decision in the Queen's Bench, which was inapplicable to the bonus system of the Indian armies, to confiscate all the contributions of present officers and all the advantages which they had a right to derive from those contributions. What would be the astonishment and indignation of the officers of the Royal Army if it were attempted to bring the sale of commissions under the operation of the Act of *Geo.* III.; and they were told, "You laid out your money illegally in the purchase of your commissions, and purchase must cease for the future, and the money you have laid out is lost." But even the great Duke of Wellington sanctioned a measure analogous to the bonus system in India. In May, 1823, the Duke found the stagnation of promotion in the Royal Artillery so great that he proposed and carried a measure to allow a certain number of field officers to retire from the Artillery, receiving for their commissions the reguated value that would be given to an officer of similar rank in the Line. In 1824 the same boon was granted to the Engineers and marine officers. This is all recorded in the Report on Army and Navy Appointments, Parliamentary paper 650 of 12th of August, 1838, at page 221. Why, Sir, this is the bonus system of the Indian army, which has been called illegal, but it is not quite so justifiable. The officers of those arms of the Royal Army had not and could not purchase their commissions; but they were offered lump sums to retire. As junior officers of these arms could not buy, the device was fallen upon of allowing Cavalry and Infantry officers of the Line to purchase the commissions so vacated; but as they could not serve in the Artillery or Engineers, they went upon the half-pay unattached list, and upon that unattached list I am told there are some 500 officers. If this was done by the Great Duke, and commissions are still purchased in the Royal Army, how is it that a less objectionable system constitutes a legal offence with officers of the late Company?

My right hon. Friend boasts of the success and economy of converting the whole of the regular Native army into irregulars, the practical result is to make efficient troops inefficient; but he and his advisers confound the effects of applying the same principle to two distinct classes of Native soldiery. With bodies of proud, independent, and fanatic Mahommedans of the Pothan tribes, or with the chivalrous and high caste Rajpoots, European officers thoroughly acquainted with Native character, good linguists, and resolute of purpose, are absolutely requisite. But it is very different with the mixed castes of the Infantry. They require not selected men, but numerous European leaders; for in a line of battle, or in the storm of a breach, they are efficient precisely in the ratio of the number of their European leaders. They will not lead, but they will follow to brave any danger. To give, therefore, six officers only to 800 or 1,000 men, is to render them useless, if not dangerous. In fact, so strongly did the Court of Directors of the East India Company feel on the subject that, after repeated orders limiting the total withdrawal of officers from any one regiment to seven, one of the latest acts of the Court of Directors, while I was Chairman, was a despatch to the Government of India, ordering that no Native regiment should have less than thirteen European officers with it, independently of the ensigns. The limitation, therefore, of six officers to a regiment is impolitic and dangerous.

My right hon. Friend has led the House to believe that promotion has been infinitely more rapid since the amalgamation or reorganization than before, and that the cost of officers has been greatly augmented, but he is quite aware that both these circumstances owe their origin to the mischievous advantages given to the officers of the Staff Corps to the injury of the local officers. 162 lieutenants became captains on joining the Staff Corps, 192 captains became majors, and 23 majors lieutenant-colonels. These very officers, who had been so promoted with substantive commissions and augmented pay in the Staff Corps, were nevertheless kept on the rolls of the regiments from which they had been removed, no vacancy being permitted on the ground that had their vacancies been filled up in some regiments there would have been an anomalously rapid promotion of juniors and consequent supersessions. The first question to ask is, "Why Staff Corps at all; and next, why, then, were so many officers from any one regiment allowed to go into the Staff Corps?" The number might have been restricted so that undue promotion might have been prevented in any one regiment; but nothing of the kind was done, a continued flow of promotion and pay was given to the regimental officers who went into the Staff Corps, and the regimental officers who remained were left only to be superseded by their brother officers. The Secretary of State objected to the rapid promotion that would have ensued; but anomalously rapid or retarded cases of promotion have been of constant occurrence even in the Indian seniority service. The late General Sir David Leighton, K.C.B., got his majority in nine years—and this was before 1800—while he (Colonel Sykes) was sixteen years a subaltern. The promotion in an army could only be judged of by a system of averages. The supersessions occasioned by Staff promotions Lord Hotham's Committee pronounced a breach of the Parliamentary guarantee, and the Secretary of State has attempted to fulfil the guarantee by giving the superseded officers brevet rank, which does not carry pay or regimental command, and the officers view the remedy as a mockery, as its operation in individual cases will show. The present 18th Bengal Irregular Infantry is commanded by Captain W. Winson of the Staff Corps, who is sixth captain in the late 45th Native Infantry, and of fifteen years' service. His second in command is Major R. Larkins, of the late 49th, an officer of twenty-six years' service. In the 46th Madras Infantry, Captain A. Cooper, of twenty-seven years' service, stands third captain; but he is a brevet lieutenant-colonel. Many of his juniors have been made substantive majors. Supposing them all married men, Brevet Lieutenant

Colonel Cooper dies, and his widow can only get a captain's pension, while the widow of any one of the majors, his juniors, will get the pension of a major's widow. But what officers of the class of Brevet Lieutenant Colonel Cooper, of whom there are hundreds, have justly a right to complain, is, that they can only get their substantive majorities in the paper cadre of their regiments, as vacancies occur above them; while officers, who happened to be on the Staff at the time of the establishment of the Staff Corps, are allowed to count their past services on the Staff as a qualification for promotion to substantive rank, hence the multiplied supersessions. The Staff officers are progressing to brigade and divisional commands, while Captain Cooper's class have a hopeless prospect. Captain T. W. R. Boisragon of the Staff Corps is a lieutenant in the cadre of the late 69th Bengal Infantry; he commands the 30th Bengal Infantry, and there are five other regimental lieutenants commanding regiments, while numerous field officers, some of them C. B.'s, and others bearing the Victoria Cross are unemployed; indeed, it is stated that of the 105 Native regiments in Bengal, eighty are commanded by captains and lieutenants, seventeen of whom are captains in the Madras army. Discontent, under such circumstances, is inevitable. But I will not weary the House with multiplying cases of individual wrongs. In October, 1860, the Company's army employed 5,988 European officers of all arms; of these, 4,138 belonged to the Native army. By Parliamentary paper, 522 of the 27th of July, 1863, the total number of officers who had joined the Staff Corps was 1,297, so that at the present time there must be not less than 2,800 officers who are deprived of their regimental guaranteed rights. My right hon. Friend (Sir Charles Wood) will no doubt tell the House again, as he told it before, that he has done nothing that the East India Company could not have done. My reply is that the East India Company had not the power to give substantive rank independently of regimental succession. The court never did and never could annihilate the right of regimental officers to succeed by seniority to the command of companies and command of regiments. Now, from 2,800 to 3,000 officers not in the Staff Corps have had all these rights annihilated by the Secretary of State for India. The India Company never would have converted their veteran regular troops into irregulars to be commanded by officers selected by favour, while old officers with the honours of C. B. and Victoria Cross are left unemployed, and the Secretary of State has practically confiscated the regimental contributions of officers, and left them beggars. In short, unless some measures of redress are adopted, I feel assured the present agitation and discontent will continue to the detriment of the public service, and the disgrace of the country.

Mr. SMOLLETT said, in his judgment the amalgamation, as it was called, of the Indian army had not been carried out with stinginess; but, on the contrary, there had been great profusion and cost, the result being that even those who had derived benefit from the profusion were dissatisfied. The great error had been the creation of a most extravagant and unnecessary Staff Corps; but the greatest mistake of all was committed by the House in passing the Amalgamation Act of 1860. That was an Act which, under the pretence of stopping recruiting from England for service in India, at once annihilated a most admirable service, which with some amendments and revision might have continued with the highest possible advantage to the State. At that time a perfect mania seemed to have attacked the authorities at the Horse Guards and the India Office and even to have reached Calcutta with respect to Indian affairs. They appeared to imagine that henceforth India was to be governed by 100,000 English bayonets, and that the only question to be decided was whether it was to be done by means of the Queen's troops or of a local service. The plan of ruling India by brute force broke down from financial considerations. It was found that sufficient money could not be raised in India to pay 100,000 British troops sent from this country. It was at first proposed to retain only some 20,000 or 30,000 Native troops, who were to be employed on unhealthy stations, where the English soldier could not exist. But all this had entirely passed away; sounder opinions prevailed, and the Native troops now amounted to 155,000 in number, but, as he was informed, they were very inefficient, owing to a relaxation in the regimental organization. In proof of the profusion connected with the amalgamation, he need only cite the case of several hundred cadets being sent out to the Indian service during the last year of its existence, when the service had been condemned to extinction. This was altogether unnecessary. It was not right to send out young men to be quartered upon that country for life. Surely some of those young men might have been transferred to the Queen's service, or had awarded them a sum of money by way of compensation for the loss of a service for which they had been trained. The next measure taken in India was the permission accorded to a large number of officers who had obtained the rank of lieutenant-colonel to retire from the service on vastly enhanced retiring allowances. By those means a great charge was entailed upon the Indian Treasury, while great dissatisfaction was occasioned among those officers so dealt with, who now declared that they had accepted the increased retiring allowances under a misapprehension, and who had joined the rank of the malcontents. At the time when this amalgamation took place there were 5,300 officers on the rolls of the Indian army, and of these some 1,340, more or less, had been merged in the Queen's army. They principally consisted of officers of the corps of Engineers in all the three Presidencies and of officers of the Artillery, who had been merged in the Royal Artillery. Some officers were also permitted to volunteer from Native regiments, and together these all formed a body of 1,340 officers. Some 4,000 others remained, who adhered to the advantages of the Indian service as it had existed up to that time, and he proceeded to show how these 4,000 officers were dealt with. The Government of India immediately set about the formation of a Staff Corps unlimited in number and expense. Every man who had been fortunate enough to perform duties apart from his regiment was competent to join this Staff Corps; adjutants of regiments, quartermasters, and interpreters were permitted to volunteer, even officers who had thrown up their appointments and come home on furlough, and who, under the old *régime*, would have had to rejoin their regiments on going out were permitted to join the Staff Corps provided they returned in three years. In this way a most unprecedented corps—what he might call a legion—was formed; and, strange to say, although the members of the Staff Corps obtained promotion by joining it, no promotion followed in the regiments from which they were draughted. One of the evils of the old system consisted in the facility with which officers were permitted to shirk regimental duty; married officers especially were ready to accept the smallest appointments and the most trifling emoluments rather than go marching over India with their regiments. But from the principles on which this Staff Corps was formed it would seem as if a difficulty in inducing men to join had been apprehended. A subaltern, for instance, of twelve years' standing was promoted upon joining to be captain; a captain of twenty years' standing became major; and a major of twenty-six years' standing was made lieutenant-colonel. In this manner, not in single instances, but in hundreds of cases, officers were superseded in their own regiments by others junior to themselves, for the names of these fortunate Staff officers still remained on the cadre of the regiment in their proper places obstructing promotions. If there had been one distinctive feature of the Indian service it was that no man once appointed to a regiment should jump over the head of a senior in that Corps by purchase or in any other way, except by sentence of a court-martial. But the effect of this Staff Corps was to revolutionize the whole army system, and to make supersession by juniors the rule instead of the exception. The regimental officers naturally murmured against such a practice, but their remonstrances were unheeded. There would have been a ready way of redressing the wrong that had been committed, by cancelling the warrant which gave promotions to Staff officers out of their turn and returning to the old system of promotion. But the Secretary of State would not do this. He regarded these 1,400 officers, as he had declared again that evening, as the *élite* of the army. For his part he entertained a very different opinion. Of the members of the Staff Corps very few had been chosen for service in the field or for real merit; most of them were promoted because they were well introduced or recommended, or from other causes which he need not enter into. Among them were some who had never done any regimental duty at all, but almost from their entrance into India had been filling civil appointments. Such men were actually on the ladder of army promotion and in a fair way to become general officers, while those who continued in the performance of regular regimental duty were quietly passed over. As the Secretary of State would not cancel those promotions which had been improperly obtained, the only other course was to give substantive rank *pari passu* to officers who had been passed over by juniors. This, no doubt, would entail a large charge upon the revenues of India, but to that complexion it must come at last. The strange spectacle would then be seen of a service doomed to death improperly and indefinitely continued by sending out a great number of young officers to join in 1860-1, its members permitted to retire upon allowances which they never would have gained under the old *régime.* And more than this, they would have the anomaly of 1,400 officers quartered on the country and promoted to be field officers long before they could have expected, with 2,600 regimental officers ultimately sharing in the like advantages, all because some blunder had taken place either in the India Office, or at the Horse Guards, or in both of those Departments.

Motion made, and Question put,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to redress all such grievances complained of by the Officers of the late Indian Armies, as were admitted by the 'Commission on the Memorials of Indian Officers' to have arisen by a departure from the assurances given by Parliament, by the Acts 21 and 22 Vic. c. 106, and 23 and 24 Vic. c. 100."—(*Captain Jervis.*)

The House *divided* :—Ayes 49 ; Noes 36 : Majority 13.

BANK NOTES (IRELAND) BILL.

Acts read ; *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill to make Bank of England Notes a legal tender in Ireland, and to authorise Banks of Issue in Ireland to make their Notes payable only at such places in Ireland at which the account of Gold and Silver Coin held by such Bankers is taken by the Commissioners of Stamps and Taxes.

Resolution *reported.*

Bill *ordered* to be brought in by Sir COLMAN O'LOGHLEN and Colonel FRENCH.

Bill *presented,* and read 1°. [Bill 124.]

House adjourned at half after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, May 3, 1865.

MINUTES.]—SELECT COMMITTEE—On Valuation of Lands and Heritages (Scotland), Mr. Adam *added.*

PUBLIC BILLS—*Ordered*—Drainage and Improvement of Land (Ireland) Acts Amendment.*

First Reading — Drainage and Improvement of Land (Ireland) Acts Amendment * [125].

Second Reading — Borough Franchise Extension [32], Debate *adjourned.*

Considered as amended—Mortgage Debentures * [119].

BOROUGH FRANCHISE EXTENSION BILL.

[BILL 32.] SECOND READING.

Order for Second Reading read.

MR. BAINES: Sir, I am sure the House will favour me with its indulgence whilst I once more appeal to its sense of justice and wisdom to redress an acknowledged wrong, pressing upon the great majority of the people. I say an acknowledged wrong, because the defective state of the representation has been admitted as such by the highest authorities in the kingdom. Indeed, I know of no subject in modern times on which there has been a greater weight and concurrence of authority. Nor is the question admitted merely as a grievance, but also as a grievance demanding practical and immediate remedy. With this view no less than five times has the defective state of the representation been recommended by Her Majesty on the Throne to Her Parliament, with a view to practical reform. Four Prime Ministers, at the head of five Administrations, have introduced measures for that purpose. This House itself has passed the second reading of a Bill for the Reform of the representation without a division ; and the House which preceded it still more emphatically acknowledged the grievance by rejecting a Bill presented by the then Government, in consequence of its falling short of the amount of extension of the franchise which they thought should be granted. Above all, the constituencies of England and of the United Kingdom have at the last general election expressed their opinion on this subject in a way not to be mistaken. For it is notorious that this was the question that was submitted to the constituencies at that election, and that they sent us here, charged above all other things with the duty of reforming the representation of the people.

Sir, I shall be pardoned for offering a single word of personal explanation. It is known — because I have publicly and repeatedly declared it—that I have not been anxious myself to continue in charge of this question. I was anxious it should devolve upon those whose influence was more extensive. I wished that the charge of the question should be assumed by the Government, and especially to leave it in the hands of the right hon. Gentleman (the Chancellor of the Exchequer) whose opinions, expressed last Session in this House, did him so much honour, and gained him so much gratitude in the country; a gentleman who has the heart to appreciate the rights and wrongs of the people, and the talents and influence to obtain the redress of those wrongs. In this hope, however, I have been disappointed ; but I never can allow that it is right to wait for a Ministerial initiative in a measure of this kind. If we were to admit that principle we should be sacrificing some of the most important rights and some of the most sacred duties of this House. If that rule had been acted upon, the most important reforms of modern times would have been prevented. When I found that the Government had laid aside the Reform question, and inasmuch as I had given them my most zealous help so long as they had it in charge, it seemed to me my duty to present one point of that great question before the House. It was only a single point, but one which it seemed to me no presumption for an independent Member to present, especially as I had bestowed upon it considerable labour, and as it was the prominent and distinguishing point of the measure of the Government, and that in which this House, or rather its predecessor, had manifested an especial interest. When I received the charge which sent me to this House, I gave my constituents a pledge that I would support the measure sketched by Lord John Russell before the general election took place. I considered that pledge to be binding, and when I came here I felt bound to do what I could to act on the pledge. Moreover, I have been asked by that association of working men—the Working Men's Parliamentary Association of my own borough—from which I have just presented a petition, by public meetings in my own borough presided over by the Mayor, and by several other boroughs, to persevere with this Bill. And having always had a firm conviction that an extension of the suffrage was absolutely inevitable, and that it was as just and wise as it was inevitable, I have thought it my duty once more to present the Bill to the House. I may, perhaps, be met by the preliminary objection, that in the last Session of a Parliament, when the Parliament has only twelve months to run before it dies a natural death, there is no time to carry such a measure as this, and to bring it into operation before the next general election. But to that objection I reply that it is altogether mistaken. The precedent of the year 1832 seems to me abundantly sufficient to remove that objection. In that year three Reform Bills, for England, Ireland, and Scotland, were passed in the months of June and July. Bills were also passed for regulating the boundaries of boroughs and of divided counties; the new system of registration was brought into operation; and the appeal was made to the country before the close of the year. That objection, therefore, falls to the ground. But, Sir, on the other hand, I conceive there is a special advantage in introducing the measure in this the last Session of Parliament. It is known that whenever any considerable extension of the franchise shall be carried, it must be followed by an early dissolution, in order to give an opportunity to the new voters to exercise the franchise of which they have been thought worthy. It is therefore evident that whenever a Reform Bill is passed that must be the last Session—the expiring Session—of the Parliament in which it is passed. Then there is a very great convenience to Members of this House, to the constituencies, and to the whole country, in having a Reform Bill carried in the concluding Session of Parliament. We know the immense indisposition there is on the part of Members of this House, on both sides, to go again to their constituencies soon after they have had the cost, excitement, and toil of a general election. It is known that one considerable obstruction to the passing of the Reform Bill of 1860 was the indisposition that existed on both sides of the House to go again to their constituents. Therefore one general election would be spared by passing a measure of this nature at the conclusion instead of the beginning of the Session. But, independent of that, it seems to me that it is right at the present time that opportunity should be given to Her Majesty's Government and to the Members of this House of declaring the opinions which they hold and the principles by which they intend to abide on a question of this constitutional magnitude. This was the question on which the last election turned and it is a question which I believe never will be settled until a satisfactory measure of enfranchisement shall take place. It must therefore continue to agitate the country; and on such a question it may fairly be expected Her Majesty's Government will give an explanation as to the principles by which they are actuated and by which they intend to be guided. I believe the country expects such an explanation. It is well known that the Government came into office pledged to a measure of Reform—pledged to this House—pledged to their own friends assembled before they became a Government, and pledged to the Queen. Before the last Parliament was dissolved, Lord John Russell, then in this House, sketched a Reform Bill, which he intimated his willingness to introduce. At the meeting at Willis's Rooms, before the present Government was formed, he adhered to that measure; and when Parliament met, in the second Session, a Bill was actually introduced by the Government; but it has not yet become law. The question was allowed to drop, and it is for the Government to explain how it was allowed to drop, and what will be their course in the future in regard to a question upon which high expectations have been raised, and upon which decided opinions have been expressed by the people of this country. The measure which I have taken the liberty again to lay before the House is one which is copied in so many words from the Government Bill of Lord John Russell, of which it was the most distinguishing and important feature. The Bill introduced by my hon. Friend the Member for East Surrey (Mr. Locke King), to enlarge the county franchise, though that would have admitted many excellent and well-qualified persons, was not calculated to meet the great want which the Borough Franchise Bill is intended to meet. The Borough Franchise Bill is avowedly intended to lower the franchise so as to bring in a considerable portion of the working classes who now are all but wholly unrepresented. That is its distinct ground. I believe the noble Lord (Lord Elcho) who will move the Previous Question, and who was a consistent supporter of the Reform Bill of Lord Derby's Government, will avow his opposition to any lowering of the qualification. Now, what to the noble Lord appears the vice of the measure, is to me its recommendation. It is distinctly and avowedly intended to admit the better portion of the working classes to the franchise, and I am glad that the issue is so broad and clear, and that the noble Lord's candour will allow so distinct a discussion of the question, and not suffer any ambiguity to remain regarding it. Many persons have charged the Government with having broken their pledges, and I have heard in very crowded meetings in important boroughs, most bitter and indignant denunciations uttered against the Government for having, as it was said, betrayed the country on the Reform question. I do not wish to use strong language. I am known to be a consistent, though perfectly independent supporter of the Government, and I wish to give a just view of their position. But I am bound to say that I do not know how to defend the Government from this charge. I admit that there were some reasons, though I think inadequate, in the state of foreign affairs, and also in the prostration of the largest branch of our manufacturing industry, for postponing legislation. But I see no justification for postponing it when those reasons have passed away, or beyond the existence of the Parliament which was specially elected to legislate on the subject. If Government had shown the same resolution on this question as they showed on the French Treaty, on the great Budgets of the Chancellor of the Exchequer, and even on the repeal of the paper duty; if they had staked their offices, as I think they had previously staked their honour, on carrying a Reform Bill, I believe they would have carried it. And if they could not have carried it, they would at least have stood in a much more satisfactory position before the country; while the party to which they belonged would have been placed in an altogether better position than they now occupy. I am bound, however, in candour to admit that the Government was not sustained, either in the House or out of the House, in the manner in which it ought to have been sustained on this question. It is quite right to admit that most frankly; but there are two things I must also say. First of all, there was apparently a lukewarmness on the part either of the Government, or of some of its more influential Members on the question of Reform, which threw a fatal chill upon it; and further, the constituencies, having done their part at the general election, considered they had a right to rely on Government and Parliament doing the part to which they were publicly pledged, without the spur of popular agitation. Admitting, as I must, that the popular demand for Reform has not recently been so loud as I think it should have been, but believing that the demand will as certainly be renewed with increased and augmented power as the sun will rise to-morrow morning, and that unmistakable signs of this renewal are displaying themselves in many quarters, I find in the existing quietude a strong reason for settling the question at the present time. I appeal to the House to consider whether it is not the part of a wise, a prudent, a foreseeing Legislature, to legislate for a subject avowedly calculated somewhat to excite public feeling, in a time of the greatest quietude. Shall we discuss it in a time of calm or in a time of storm? Shall we discuss it when the country is lulled by prosperity, or shall we wait till the people are roused, and perhaps inflamed, by adversity and distress? It seems to me the wisest to discuss it at such a time as this? If you call upon the wind, may you not evoke the whirlwind? If you refuse to discuss this measure in a time of tranquillity, I am afraid you may have to consider it with claimants thundering at your doors, and with a call throughout the kingdom from political unions for household or manhood suffrage.

I would remind the House that Parliament has not acted in this way in other matters which are prospective. It has not considered that, because we now enjoy peace, we ought not to prepare for war. So far from it, the two sides of the House have vied with each other in urging the adoption of every improvement in our national defences that is called for by the changes in the art of war. You have reconstructed your navy, you have re-armed your army, you have re-fortified your coasts, you have planned defences for your colonies, you have established reserves of seamen and soldiers. All this has been done, and the noble Lord who is to move the Amendment has been himself honourably conspicuous by his efforts, begun years ago, and continued to the present time, to raise up a Volunteer force for the defence of the kingdom, when there was no well-founded apprehension of any enemy threatening us. Was all this dictated by prudence? And can it then be prudent to leave a great majority of the people with a degrading and insulting grievance, pressing upon the great majority of the people; a grievance that does you no good whatever, dividing classes which ought to be welded together, and weakening the body politic—when by simply doing justice you might give the Empire more strength than it would derive from a million of fighting men?

I invite the House seriously to look at the condition of the representation. In 1861 the population of England and Wales—to which portion of the kingdom, in accordance with former precedents, my Bill is confined—was 20,000,000; of whom 5,000,000 were adult males. And how many of these had you represented? The number of electors was nominally somewhere under 1,000,000; though, deducting duplicate entries, and those who, having votes both for counties and boroughs, ought only to be counted once, probably the real number does not much exceed 800,000, and certainly is not more than 900,000. Of these it is quite certain that the upper and middle classes form the great proportion. I do not object to any measure—such as the lodger franchise—which would fill up any vacancies in those classes, by admitting persons who are well qualified to vote; but, as classes, they are abundantly represented at present. Indeed, they have the representation entirely in their own hands, although they form only one-fourth of the people of England. The working classes comprise three-fourths of the population, and I venture to say that this great body is all but wholly unrepresented. I do not deny that there are several Gentlemen in this House who have among their constituents a few members of the working class; but the number on the lists of voters is so exceedingly small that it has no appreciable weight in the representation. Yet that class numbers 15,000,000 of people; and the male adults number nearly 4,000,000. These are the men who carry on the vast and varied industry of the country; they till your soil, they work your mines and machinery, they manufacture the products which command the markets of the world; their labour and skill make all your capital available, and produce all your comforts and luxuries; they navigate your ships of war and trade, and they fill the ranks of your armies. Their sinews are strong, their energies are not surpassed, their courage is high, their natural abilities are as good as those of the classes above them, they are now an educated people, who daily read the news of all the world. These 15,000,000 of people have vast interests to defend; the annual income of the working men and their families can scarcely be less than £200,000,000 sterling. They require the protection of the law for their persons, their earnings, their savings, their houses, their wives, their children, their civil and religious liberties. They have the feelings which belong to human nature; and they have a spirit which, though not disposed to violence or tumult, is perhaps still less disposed to submit to injury or insult. And this is the people—these 15,000,000—possessing an amount of moral, mental, and physical power not surpassed by any community in the world, whom we think it wise and safe to leave under the infliction of a degrading exclusion! I do not know what hon. Gentlemen may think, but I cannot understand how you can believe it to be safe to leave a people like this unrepresented. And, allow me to say, these people are not inferior to us in natural talents; they have brought those talents to a considerable degree of cultivation; I believe the working men in the workshops of the manufacturing districts are as well acquainted with the news of the day and of the whole world, as most of the Members of this House. You exclude them, and yet you expect them to remain obedient, contented in times of distress as well as in times of prosperity; well affected, loyal, bound up in heart and feeling with the classes above them, ready to obey the laws which they have no hand in making, and, if needful, to shed their blood in defence of institutions from which they derive neither honour nor immunity! Is this a wise and reasonable course?

I admit that the House has a right to demand, when an extension of the franchise is asked for, satisfactory evidence that those whom you seek to introduce to its exercise are likely to make a good use of it. If I could not give such evidence, I could not conscientiously propose this measure. I think I can prove that they are well qualified. But, before doing so, let me ask the House to consider what kind of qualifications it is reasonable to demand in a body of electors. You do not require, of course, that they should themselves be qualified to be legislators, that they should possess a knowledge of all subjects upon which this House is called upon to legislate, but only that they should be able intelligently to choose, among the candidates offered to them, the men who will best protect their interests and represent their views. If you should demand, in a constituent body, an understanding of all the questions to be discussed in a legislative body, I am afraid you have already gone too far, and that your constituents would be a very select company indeed. But if you ask for elementary education, general intelligence, the habit of political reading, and some habits of business in their own concerns and associations,—then I am certain, you may as safely go to the £6 occupiers in 1865 as you went to the £10 occupiers in 1832. I do not think you have a right to ask for much more. If you do, it seems to me you confound two things which ought not to be confounded — the qualification of legislators and the qualification of those who have to choose legislators. They are the men to select from a number of candidates the man whom, from their knowledge of his character, his independence, and his talents, they judge to be best qualified to represent their views and feelings in this House; and I conceive that it does not require a very high degree of scholarship for men who daily read what is passing in this House and criticize freely our debates, to be qualified to elect those who are to be their representatives in Parliament. I believe, Sir, a fallacy lurks in the minds of many honourable men, which makes them, to a most remarkable and most unworthy extent, afraid of a perfectly safe extension of the franchise. The fallacy is this. They suppose that any lowering of the qualification for electors would correspondingly affect the character of the legislative body. Now, clearly this could not be the case if the people are in a state of rapid advancement, so that education and intelligence have anticipated, and more than equalled, the extension you propose to make of the suffrage. The advance of education and intelligence has now made men of somewhat lower rank equal or superior in intelligence to men already intrusted with the franchise, and about whose qualifications no one has ventured to express a doubt. But, independently of this, the point I wish especially to impress upon the House is this—that the character of a legislative body is determined much more by the class from whom the legislators are taken than by the class who elect them. Now, as a rule, it may be said that the class from whom the legislators are chosen in England consists, and is always likely to consist, of those who have enjoyed the best education, who possess good property, or who have already gained experience and distinction in the public service of their country, their county, or their borough. A seat in this House is an honour to which the foremost men in the country always have aspired, and always will aspire. This would be the case, whatever were the composition of the electoral body. It is not in the power of working men in any considerable numbers possessing very small maans, and dependent on their own industry, to live half the year in London at considerable expense, and either separated from their families or bringing their families with them. Moreover, there is only too strong a tendency in human nature to look with favour upon rank, wealth, and adventitious distinctions; and, in general, constituencies will choose candidates who possess those distinctions; not to mention that cultivated talents and experience of affairs necessarily and properly recommend candidates to electors, as rendering them worthy of being intrusted with the duty of making the laws and carrying on the Government of the country.

In my opinion, Sir, it would be a positive advantage both to this House and to the constituencies if some intelligent and virtuous working men, who had won the confidence of their fellows by their characters and talents, had seats in this Assembly. They would communicate valuable information to the House as to the interests and feelings of their own class, and would help us with their sound sense and unsophisticated feelings; and it is probable that they would learn something here which would expand and enrich their minds, modify their prejudices, and have a beneficial influence out of doors. It is altogether unlikely that any considerable number of working men will ever be found here; but if they were, I, for one, believe it would be productive of decided benefit to the public interests. Entertaining this view, I do not sympathize in the least with the fears which some entertain of the consequences that would ensue if, in a dozen or a score of boroughs, a £6 franchise should give the working classes a clear majority of the electors. It seems to be thought by some that they would, in such a case, either return men of their own class, or extreme politicians, and perhaps mere adventurers. I know that vague fears of this kind have given the ague fit to many honest men in contemplating an extension of the suffrage. But surely this implies a strange forgetfulness, not only of those principles of human nature to which I have been referring, but also of our own history. There is nothing that goes so far with this House, or with practical politicians all over the country, as fact and experience. Now, we have it in our power to test the validity of these apprehensions by an appeal to a large and long experience. We have had in this country, in many of its largest towns, not merely a £6 franchise, but household, and even universal suffrage. In those towns, therefore, the working classes constituted a large majority of the electors. The working classes, indeed, composed a much larger proportion of the borough constituencies in the Unreformed Parliament than they do in the Reformed Parliament. A fatal blow was struck at the working classes by the Reform Bill, which did full justice to the middle classes. Its virtue was in bringing the middle classes into a position of influence, but to the working men it was a most fatal act, because that class were either cut off at once, or placed in a position in which they gradually wasted away, and there are now comparatively few of those who formerly constituted the majority of the constituencies who have votes. Now, what was the effect under the old system? Did the large towns, in which the widest suffrage prevailed, return demagogues and adventurers? I have been looking over a list of the Parliaments for 120 years, from the union of England and Scotland, in 1708, down to the Reform Act, as given in Beatson's *Chronological Register of the British Parliament*, and other works; and I especially looked at the Members for the large towns where the suffrage was the most extended. As far as my local knowledge went, the Members for that long period in these towns were — I may almost say without exception — from the old and principal families in the respective neighbourhoods, great landowners, rich bankers and merchants, together with an infusion of men who had distinguished themselves in the service of the country. As this is a point of the utmost importance, I will ask the House to allow me to read a few notable illustrations of cities and towns which had the largest body of electors, with a selection of the principal names which occur in successive Parliaments and generations. In the City of London, where before the Reform Act there were 12,000 voters, we find such Members as Bernard, Hoare, Heathcote, Glyn, Beckford, Sawbridge, and Curtis. In Westminster, where there were 16,000 voters, we find the names of Fox, Rodney, Townshend, Hood, Romilly, Burdett, and Hobhouse. In Liverpool, where there were 5,350 voters, there are the names of

Gascoyne, Tarleton, Roscoe, Canning, and Huskisson. In Bristol, with 6,000 voters, were Burke and Lord Sheffield. In Hull, which had 2,200 voters, occur the names of St. Quintin, Maister, Manners, Weddell, Hartley, Wilberforce, Mahon, Graham, and Sykes. In Norwich, with 4,200 voters, are found Bacon, Walpole, Harbord, Windham, Frere, Gurney, and Grant. In Leicester, which had 5,380 voters, are found Beaumont, Babington, and Smith. In Nottingham, which had 5,050 voters, occur Warren, Howe, Anson, Coke, and Denman. In York, with 3,750 voters, are Robinson, Milner, Cavendish, Wentworth, Milnes, and Dundas. In Chester, where there were 1,300 voters, are found Grosvenor, Bunbury, Wilbraham, Bootle, and Egerton. In Worcester, which had 2,200 voters, are Boulton, Ward, Lechmere, and Robarts. In Durham, with 1,100 voters, Lambton, Shaftoe, Tempest, and Wharton. In Stafford, with its 1,000 voters, Foley, Vernon, Chetwynd, Monckton, and Sheridan. In Newcastle-upon-Tyne, which had 3,000 voters, occur Liddell, Blacket, Fenwick, Ridley, and Brandling. In Newcastle-under-Lyne, which had 830 voters, were Leveson Gower, Waldegrave, Egerton, Bootle, and Evelyn Denison. In Preston, which had 7,500 voters, we find the names of Hoghton, Fleetwood, Hesketh, Stanley, and Horrocks. In Coventry, with 3,500 voters, occur Conway, Wilmot, Eardley, Glyn, and Ellice. In Gloucester, which had 1,900 voters, are the names of Selwyn, Barrow, and Howard. Many other county towns and populous seats of trade had very large constituencies, the suffrage there being household or that of freemen. For example, Lancaster had 4,000 voters, Southwark 4,500, Northampton 2,400, Southampton 1,350, Canterbury 2,325, Exeter 1,300, Ipswich 1,150, Dover 2,385, Colchester 2,500, Lincoln 1,333, Maldon 4,000, Cardigan 2,300, Great Yarmouth 1,800, and many more with numbers nearly as great.

Now I have Beatson's work here; and I challenge any hon. Gentleman to find names in the Parliaments for the last 120 years, giving the slightest shadow of a justification for the fear that working class constituencies would return persons of a low class as their Members. I say that the investigation to which I appeal must sweep away like cobwebs every fancy like that which I have been combating, and satisfy the most timid person that even a wider suffrage than I propose would still return to this House an overwhelming preponderance of men who are identified with the property and education of the country. I can conceive that Gentlemen may say, "Oh, but there was a property qualification." We all know what that meant. We know it was possible for any attorney to get up a qualification for £80. It was deposited, as every one knows, with our librarian, and at the conclusion of Parliament the property was again transferred to the owner. It was so broad a farce, so ridiculous and contemptible, that the House entirely repealed the property qualification. Then I may say that the experience of the country before the Reform Act has been entirely confirmed by its experience since that Act. Indeed, I may add to my former argument that the mere necessity of party strife compels each party (as a general rule) to put forward the best men it can find.

And now, Sir, I come to consider whether those whom I propose to admit, the occupiers of houses between £6 and £10, are worthy of the franchise. I must express to the House my unhesitating conviction that they are. I may remind the House that both the noble Lord who so frequently brought forward this question of Reform in this House, and the right hon. Member for Buckinghamshire (Mr. Disraeli), based their respective Bills on the assumption of a very great progress in popular intelligence. The right hon. Gentleman made these striking remarks—

> "I beg the House to consider well those effects of time, and what has been the character of the twenty-five years that have elapsed since the Reform of 1832. They form no ordinary period. In a progressive country and a progressive age progress has been not only rapid but precipitate. There is no instance in the history of Europe of such an increase of population as has taken place in this country, during this period. There is no example in the history of Europe or of America, of a creation and accumulation of capital so vast as has occurred in this country in those twenty-five years. And I believe the general diffusion of intelligence has kept pace with that increase of population and wealth. In that period you have brought science to bear on social life in a manner no philosopher in his dreams could ever have anticipated. In that space of time you have in a manner annihilated both time and space."

Those eloquent words were uttered six years since; and within that short interval two other mighty impulses have been given to the popular intelligence, by the abolition of the taxes on knowledge, which has led to an enormous extension of the education of the country, and by the general establishment of the submarine telegraph. These have led to a very great extension of political and general reading, by the establishment of the penny daily newspapers all over the kingdom, and of cheap periodicals of every description.

It is important that I should not trust my case to general observations, like those of Lord Russell and the right hon. Gentleman, however notoriously well founded. The fact of an advancement which I believe to be quite unparalleled in history admits of being proved by official evidence; and a Return has this day been laid upon the table of the House, on my Motion, which gives a large amount of evidence in the most condensed and most authentic form. That Return presents a comparison of the condition of the people in the years 1831 and 1864 respectively, that is, the year in which the Reform Act was presented and discussed, in comparison with the last year for which the accounts have been made up. The comparison could not always be made between those years, but an approximation is made to it. I believe a Return more gratifying to every patriotic mind was never issued; and I confidently invite the attention of the House to a few particulars extracted from it, as triumphantly proving the advancement of the people in education, virtue, and good habits. I shall not give the figures in full, but simply state the percentages of increase, which will give simplicity and distinctness to the statement. The basis of the whole is the increase in the population of England and Wales, and with that all the other items are to be compared. In the thirty years from 1831 to 1861 the population increased, according to the census, 44 per cent; but, bringing down the population by computation to the year 1864, the increase within thirty-three years was 50 per cent, and perhaps hon. Gentlemen will bear this in mind as the datum line with which all the rest are to be compared. Within a shorter period, namely, from 1833 to 1861, the number of day scholars increased 146 per cent, or nearly three times as fast as the population. From this some deduction ought to be made on account of children educated at home, which are included in the last Return, and not in that of 1833. Between 1831 and 1860 the quantity of paper, the raw material of books and newspapers, which paid duty, increased 230 per cent. And since the abolition of the paper duty there has been an augmented production at home, together with large importations from abroad. Between 1839 and 1864 the number of letters which passed through the Post Office increased 834 per cent; and these may be regarded both as an evidence and as a stimulus to extended education. Between 1831 and 1864 the number of depositors in savings banks increased 338 per cent, and the amount of their deposits increased 209 per cent. In addition to this mode of saving, between 1847 and 1864 (or half the thirty years) the number of enrolled or certified friendly societies increased 120 per cent. Between 1831 and 1861, whilst the population increased 50 per cent, the amount expended for the relief of the poor actually diminished 15 per cent on the expenditure of 1831. In the twelve years from 1849 to 1861 the number of paupers diminished 18 per cent. Between 1831 and 1864 the number of persons committed for trial actually fell off, though only fractionally. Between 1831 and 1864 the official value of our imports increased 249 per cent, and of our exports 350 per cent, evidencing a vast improvement in the condition of the whole population. Within that period 8,500 miles of railway were constructed at a cost of £322,237,978—one of the most marvellous creations in the history of the world. Looking at the consumption of some of the principal articles of food, we find that those which indicate domestic comfort have increased in far larger proportion than those which are consumed in self-indulgence, and sometimes in demoralizing intoxication. Of tea, the increase was no less than 195 per cent; of coffee 44 per cent; and of sugar 91 per cent; of wine the increase was 93 per cent; of malt only 33 per cent, and of spirits only 39 per cent. I appeal to the judgment of the House whether these figures do not prove beyond all dispute an enormous advance of the body of the people in education, reading habits, habits of providence and temperance, together with an increase of domestic comfort, whilst they also show a great diminution in pauperism and crime. I have to add to the information contained in that paper two facts, which, I think, are still more striking, with regard to the increase in the political and general reading of the people, as evidenced by the increase in the number of copies of newspapers, magazines, and serials issued. In 1831 the number of single copies of newspapers issued was 38,648,000 in the whole of the United Kingdom; while in 1864 it was 546,000,000, or an increase of 1,313 per cent. The increase in magazines and serials issued weekly and monthly was from 400,000 a month to 6,094,000 a month, or 1,423 per cent. I say that those facts evidence progress which is something marvellous in this country, and one which, you may rely upon it, has afforded a sufficient foundation for that extension of the suffrage which I am now inviting you to make. I might multiply greatly the evidences of improvement, but it would be perfectly superfluous; no man can possibly doubt the advancement of the working classes of England in all the qualities which fit them for the exercise of the franchise.

I must now, Sir, in conclusion, state to the House what I believe would be the addition made to the number of electors by the reduction of the borough franchise from £10 to £6. I regret not to have received the official information which I had expected when I moved for a Return of the male occupiers in boroughs some weeks since. When I inquire the reason that that Return has not been made, I am told that it would cost a considerable sum of money, owing to the necessity of paying the clerks of the guardians for their trouble, and that, as the Treasury has not authorized the payment, the Return has not been made. I am therefore driven to refer to the information obtained for Government in 1860, and thoroughly sifted by a Committee of the House of Lords, supplemented by partial Returns made on a Motion of mine last year. According to the Returns of 1860, the addition that would have been made to the borough voters by a £6 franchise would have been 210,022, or 48 per cent on the existing number of voters. According to the information which I obtained last year at the Poor Law Board, the addition to the borough voters would have been 240,705, being 49 per cent of the then existing number. I am assured, by the gentleman who has always prepared these Returns at the Poor Law Board, that if we had obtained the Return which I moved for this year, it would have shown very little difference. But it has been objected to the Government estimate of 1860 that the metropolitan boroughs ought to be deducted from the total number of borough electors, inasmuch as their position would scarcely be changed by the adoption of a £6 franchise, and, therefore, the new voters would almost all belong to the other boroughs. I admit the validity of this remark, and therefore I have deducted the metropolitan boroughs, and, at the same time, endeavoured to calculate the number of the working classes who would be put on the register by a £6 franchise. It would weary the House if I were to attempt to carry it through all the steps of my calculation; but the result at which I have arrived is this — that the whole number of borough voters, exclusive of the metropolitan voters, under a £6 franchise, would be 443,480, of whom 302,159, or 68 per cent, would be of the upper and middle classes, and only 141,321, or 32 per cent, of the working classes. This calculation was made on the figures given in the official Return of 1860, and I have every reason to believe that the same proportion, or very nearly, would still hold good. If I am right in my calculation the proportion of working class voters in boroughs would be one-third of the whole. But when we take into account the county voters, and remember that no appreciable number of these are of the working class, it would follow that the working class voters in England and Wales would not be more than one in five of the whole electoral body. My firm belief, therefore, is, Sir, that if any smaller extension of the franchise than to £6 were offered, it would not be worth acceptance by the classes now unrepresented, and that they would regard it as a mockery and an insult. I am sure the extension sought by this Bill might be made with perfect safety. I would appeal then, Sir, to the justice and the prudence of this House not to reject so moderate a measure for settling a great constitutional question. I would encourage hon. Members to believe that in removing a great grievance from the majority of the people, they would be removing a great, though at present it may be a hidden, danger. I would conjure them to act with a wise trustfulness, and to try whether enfranchisement will not prove a better safeguard to the realm than exclusion—will not narrow the area and lessen the intensity of all future discontent. I would ask them to look back at all the great reforms of the last forty years, and to consider if they have not every one, being adapted to the spirit of the age, proved not merely safe, but conducive in the most eminent degree to the contentment and prosperity of the people. This concession, Sir, would cost not a farthing to your Exchequer, but, on the contrary, would enrich it; it would not aggravate, but mitigate, your anxieties in any future period of war or distress; it would not deprive any man in the country of any privilege or advantage he now enjoys; it would add to the sweetness of your political rights, by taking from them all savour of monopoly or injustice; it would elevate, as well as gratify, the classes whom it enfranchised; and it would swell into an invincible phalanx the ranks of those who now proudly and affectionately guard the shrine of the Constitution.

MR. BAZLEY said, that in seconding the Motion, he must congratulate the hon. Member for Leeds for the excellent speech in which he had brought forward this Bill. He thought the speech was worthy of all praise because it truly represented the opinions and feelings of a large proportion of the working classes of this country. All classes had become, as it were, more federated in consequence of the spread of education and the means afforded to the great body of the people to form opinions, equally with the upper and middle classes, on all the great events which took place from day to day. The people out of doors were close observers of what passed within the House, and he believed that they would obtain—and that at no distant day—not only a considerable extension of the franchise, but a redistribution of political power. Much had been said about the apathy of the public on this question; but he believed that the charge of apathy attached more to that House than to the people out of doors. Broken pledges had not done much to give the people of the country confidence in their representatives. On both sides of the House the necessity of Reform was admitted by leading politicians; and on both sides measures had been introduced which would have enfranchised the people to a great extent, and provided for a redistribution of political power. Neither side, however, had been able to carry the measures they had proposed, and he feared that those failures had not tended to increase the confidence of the people in the present Parliament. He feared impressions prevailed that the conduct of the working classes in the northern counties and the manufacturing districts had to some extent diminished the confidence of the Legislature in the great body of the working classes in this country; but it was a mistake to suppose that the active and intelligent men of the North, because they occasionally spoke out in plain language, were disloyal, and not fit to be intrusted with political power. On the contrary, his belief was that in expressing these opinions freely they were discharging something like a duty, and that in those very ebullitions of feeling there was increased safety. He would remind the House that at the time of the Reform of 1832 the people of Lancashire were in a state of great excitement upon the necessity of Reform, and the Duke of Wellington, who had even declined to give representatives to Manchester, Leeds, and Birmingham, saw at length that the spirit of the people would be roused and the constitution endangered unless something like a comprehensive system of Reform were established. There was a revolution threatening at the time; but happily the good sense of the Legislature made great concessions to the just demands of the people, and from that moment the prosperity of the country had increased, and the people had been better satisfied. In 1832, when the population of the United Kingdom numbered about 24,000,000, the amount collected and paid into the Treasury did not exceed £47,000,000 sterling, and the expenditure was laudably less than at the present time. Now, with 30,000,000 of people, the country was contributing at the rate of £70,000,000 per annum, and that £70,000,000 was paid to the Exchequer with less animosity and with more confidence, and was levied less oppressively, than was the £47,000,000 collected in 1832. He hoped the House would continue to legislate in the direction of reducing expenditure; but, for himself, he apprehended that they would never have an economical Government in the strict sense of the word, till they had a reformed House of Commons. Nor did he think they would have the non-intervention principle carried out, and that pacific relationship with other countries which was necessary to the diminution of expenditure secured, till the people were in possession of more power, and had a broader field of representation. If a larger number of practical men were admitted to Parliament there would be fewer blunders and extravagancies in the navy and the other public departments than there were at present. If the labouring classes had improved their position by increased intelligence and good conduct, surely Parliament could not deny their simple request that they should have the privilege of voting in the election of Members of Parliament. The people of Lancashire had on many occasions been sorely tried, but had always evinced their loyalty and good conduct; and he had known workmen say to their employers, "We know that you have been paying us wages out of capital, and we are perfectly prepared to submit to a reasonable reduction, if you will only be moderate in your demands." In Lancashire vast numbers of people had frequently assembled, and had conducted themselves with extreme propriety. When the Queen and the lamented Prince Consort opened the Manchester Exhibition there was no disorder and no confusion; but, on the contrary, there was but one feeling—a feeling of respect to those who occupied the highest positions in the kingdom. It was a mistake to suppose that calling in the aid of the labouring classes to support the good government of the country would be attended with danger to the wealthier classes. We depended upon them for the protection of our shores, for the preservation of peace, and for the safety of our property, and the only disqualification under which they now laboured was the denial of their right to vote for their own representatives. When the Queen went to the manufacturing districts on the occasion of the opening of the Peel Park, she was received with a spirit of rapturous devotion by the assembled multitudes, and a chorus of 80,000 school children welcomed the Royal visitors, and probably not one in a hundred of those children who have since grown to maturity, and have become parents, possess the privilege of voting for Members of Parliament. Recently gloom and depression had fallen upon the cotton manufacturing districts, and the patience with which the people had borne the privations to which they had been subjected afforded abundant proof of their good conduct and good intentions, for they were peaceful under the most lamentable circumstances, being willing to work, but deprived of the material from which they usually derived their employment. It would appear, then, that there were only imaginary reasons why they should not give the franchise to these people, and provide a redistribution of the political power of the country. Everything surrounding them spoke of their good conduct and intelligence, and there was evidence of their fitness to take their share of the responsibility of electing Members of Parliament; they were anxious to promote their own interests, but they were also anxious to promote the dignity and honour of the State. He hoped the Government would give due consideration to the Bill proposed by his hon. Friend, and if they should not be successful on that occasion in carrying the measure, that at least some declaration would be given that in another Parliament the great question of Reform might be fairly and impartially considered. Let the Legislature be just and wise in time, and do not let them rouse that unfortunate intimidation which came upon them some thirty years ago. The people had earned the confidence of the Legislature, and he hoped they would receive that confidence for which they had worthily laboured. The people on every hand had conducted themselves not only judiciously but in the best manner possible; and in the spirit alone of a reward for faithful service he asked the House to extend to them the franchise. They were not in the position of mere hewers of wood and drawers of water; they were intelligent people. It was not to the privileged classes that we owed our railways and great public works, but to the George Stephenson class. Let them, then, call to their aid the counsels of those who had given increased wealth to the country, and by their advice and cooperation, raise the fame of this country to a higher pitch than it had ever yet attained.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Baines.*)

LORD ELCHO: Sir, I rise to move the Previous Question, and in so doing I must claim the indulgence of the House for a short time. I do not feel with the hon. Member for Manchester (Mr. Bazley) that the fact of 80,000 Sunday-school children having been enabled to sing the National Anthem upon the opening of Peel Park is a sufficient reason for conferring the franchise upon the parents of those children. Neither can I adopt the view put forth by the hon. Member who moved the second reading (Mr. Baines) who, in his last observations, urged that the franchise ought to be extended in the manner he proposes because of the existence of railways and electric telegraphs. I must, however, refer to some former observations of the hon. Gentleman, who, as far as I could gather, seemed to reproach the Government with inconsistency upon this question. I have no desire to pronounce whether they have or have not been inconsistent in the course they have pursued. They require no answer from me — I am not the defender of the Government; but the answer was really given by the hon. Member himself when he excused the conduct of the Government. On what ground? On the ground of the apathy of the country. And if there was apathy when the Government brought forward their Bill, has not that apathy continued to this very hour? When we came down to the House to-day, did we see a single working man anywhere near who manifested any interest in the passing of this measure, which, to use the words of an hon. Member who has recently been returned to this House, is to "free him from a state of serfdom?" The hon. Member for Rochdale (Mr. Potter) has stated that he comes into this House in order to free the people of this country from serfdom, and also to make war upon the aristocracy. Do we find any sign out of doors that any interest is taken in this question by the public at large? And what do we find in this House? Was there any sign when the Order of the Day for the Second Reading of this Bill was read that any interest was aroused among the representatives of the people? Very few petitions have been presented to-day — only six, I believe; and were they in favour of Reform, or of this Bill? The first petition was presented by an hon. Member who, I believe, is to follow me in debate—the hon. Member for Huddersfield. [Mr. LEATHAM: Not on this subject.] The hon. Member tells me that he did not present a petition upon this subject. I know it, and that is the point I am coming to. The hon. Gentleman was one of the first to present a petition to-day. Knowing the relation of the hon. Gentleman with another distinguished Member of this House, and knowing the position which he justly occupies upon these Benches, one would naturally expect that the petition which he presented this morning would have been from Huddersfield in favour of Reform; but he got up and presented a petition about the Union Chargeability Bill. Another petition was presented by the hon. and learned Member for Sheffield. [Mr. ROEBUCK: Not I.] No, not the hon. and learned Gentleman. He has presented no petition on this subject, and I expect to have the benefit of his speech in support of my Motion; but his Colleague did present a petition. Did that relate to the question? No; it was a petition about some part of the Budget. Another Gentleman, who, I believe, goes "the whole hog" in favour of universal suffrage, the hon. Member for Carlisle (Mr. Lawson), presented a petition, but it was not in favour of Reform, but referred to something connected with tea. So that both in the House and out of the House the utmost apathy prevails upon the question. That is the justification of the course which has hitherto been adopted by the Government, and, continuing in that course, I hope the Government will not support this Bill, seeing the continued apathy which exists. I now come to the question of the consistency of the hon. Gentleman himself. The hon. and learned Gentleman—[Mr. HADFIELD: Not learned]—I must apologize for calling him learned in the law, but I may call him learned upon the question. He contrasts his own consistency with that of the Government. Now, as the hon. Gentleman will have a right of reply, I will put to him a question to which I hope he will give me an answer. It is this. The hon. Member for Brighton (Mr. White) if I recollect right, in 1861, when there was no mention of Reform in the Queen's Speech, moved an Amendment to the Address, incriminating the Government for the omission. Forty-six Members voted for that Motion; and I wish to ask the hon. Gentleman who introduced this Bill, and who twits the Government with inconsistency, and prides himself on his own consistency, whether his name will be found among the forty-six? [Mr. BAINES: It is not.] I thought so. The hon. Gentleman left the House in a sudden and unexpected manner, with difficulty escaping from being shut in, and in his hasty exit he came into collision with another hon. Member who was coming in to the division, and who, I believe, suffered during the remainder of the evening from the effects of that collision. Wishing to know whether so remarkable a story was true, I asked the hon. Member for Brighton about it, and he told me that it was true that the hon. Member for Leeds did not vote on that occasion, and that he (Mr. White) considered the Bill to be a perfect sham, and that, although he had been asked to speak and vote for it, he had refused to have anything to do with it. So much for the inconsistency of the Government and the consistency of the hon. Gentleman. Now, as regards consistency, I claim to be a better and more practical reformer. The hon. Gentleman tells us that under his Bill 240,000 voters would be added to the constituencies of the kingdom. Now, if the relative claims of men to be considered practical reformers are to be judged of by the numbers to be introduced into the constituencies by the measures they respectively supported or opposed, I claim to be a better reformer, as I supported a Bill brought in by the hon. Gentleman opposite (Mr. Disraeli) which would have added 500,000 persons to the constituencies. That Bill was rejected by a Resolution to which the hon. Gentleman the Member for Leeds gave his support. I voted for that measure, not believing that any measure was required then, any more than I believe that a great re-construction of the Constitution is needed now. I believed then, as I believe now, that we have the best and most working legislative machine in the world, and that it is not necessary to take the machine to pieces because of any imperfect working, or in consequence of any dissatisfaction on the part of the people of this country with the present system of Government. But, when urged by party motives, hon. Gentlemen on both sides competed upon this question, and when it was formally brought before the House there was no choice but to vote for or against the proposition, and I voted for it. But in voting for that Bill, and in voting against the Bill of the hon. Gentleman, I will show that I am quite consistent. There is in the question before the House a broad principle to start from—the question of departing or not from the £10 household line drawn by the Reform Act. I do not wish to argue this question upon points of detail. The hon. Gentleman invites us to pronounce upon a broad issue, and I put it on the broad issue, whether or not it is advisable to depart from the base of borough franchise defined in the Reform Act. I will not enter into details as to the number of persons who would be added to the electoral list by the Bill of the hon. Gentleman, nor as to how different constituencies would be affected; but I wish to notice a petition which was presented recently from Blackburn and which seemed to me to be so curious that I copied the prayer. The petitioners say—

> "Your petitioners believe that any measure short of manhood suffrage will fail to secure justice, or give entire satisfaction to that great body who are at present deprived of political power."

That is a remarkable fact. Here is a petition in favour of the hon. Gentleman's Bill which begins by saying that any measure short of manhood suffrage will not give satisfaction nor render justice. Now, if the question of justice is urged, it must be borne in mind that manhood suffrage, which these petitioners look forward too as justice for their own class, they being a majority of the population, would be an injustice to all other classes in the Kingdom. That is not a question to be discussed upon an abstract question of justice. These petitioners go on to say—

> "Nevertheless, they pray that, as an instalment of political justice, your honourable House will pass into law the provisions of Mr. Baines's Bill, which confers the franchise on all inhabitant householders paying a £6 rental, and whereby the number of Parliamentary electors within the borough of Blackburn would be increased from 1,845, as at present, to upwards of 7,000."

I think that sufficiently shows what would be the effect of this measure upon the constituencies of the Empire if it were passed into law. [Mr. BAINES: No.] That is the statement as to Blackburn, and it is for the hon. Gentleman to disprove it. The hon. Gentleman has read from some old book a list of Members elected before the Reform Act under the potwalloping system—a kind of universal suffrage—and it struck me that if he had gone on much longer he would have induced the hon. Gentlemen who sit behind him to vote against his Bill, for he went on reading one historic name after another until it seemed as if his Friends behind him did not approve the results of universal suffrage as much as might be expected. However, as I have said, we ought not to discuss this question upon mere details, but to consider whether it be wise to depart from the £10 limit of the Reform Act. Now, what are the reasons put forward by the hon. Gentleman? I think I shall fairly state his case in this way:—At present it appears that the middle and upper classes are represented, but the working classes are not represented—that they are, therefore, dissatisfied; that this Bill will satisfy them, and will strengthen the bases of the Constitution. Now, as to the working classes not being represented in this House, if it is meant that they have no special representatives, I admit it; but I can say, from many years' experience in Parliament, that although the working classes have no special representatives here, yet their interests are well looked after—and that in preference to the interests of any other class of the community. The first question which generally arises in the minds of hon. Members in considering any measure is how will this affect the masses of the people? That is the ruling principle of all the Budgets of the right hon. Gentleman the Chancellor of the Exchequer. The working classes may not be personally represented here, but I doubt very much whether it will be a wise thing for the Constitution of this country that we should have in Parliament, not men representing the whole people, but merely delegates to represent certain opinions. If these persons, taking extreme views, should find themselves in a minority, dissatisfaction would be the result. I therefore greatly prefer the system under which men are sent to this House, not to represent one class but the whole people. But how far are the working classes excluded by the present line? The hon. Gentleman admitted that a great many might come under the £10 line. The hon. Member for Salisbury, I believe, stated last year that the mass of his constituents came in. I have been endeavouring to get information on this point, and I believe I can show either that the working men do now come in, or that if they do not they exclude themselves by their own fault. A friend connected with the iron manufacturing districts has collected the following statistics for me, from the works in his neighbourhood, relating to workmen whose average wages are £2 5*s.* per week. There are 41 men living in houses of from £12 to £10 rental; 51 in houses of from £10 to £8; 34 in houses of from £8 to £7; and 28 in houses of from £7 to £6, making a total of 154. Of the other men employed at the works the greater proportion lived in houses above £12, and the remainder were labourers. It is easy to see from these figures with what a slight effort a large proportion of these men might, if they chose, have raised themselves to the possession of the franchise. If those living in houses of from £10 to £12 would only raise themselves to the franchise, two-thirds would be represented. What is true of these works is true of other works throughout the kingdom. When this Bill is spoken of as a gigantic instrument for raising the condition of the working classes, I believe it will have the effect of taking away a stimulus to providence and to the ambition of getting into a good house, and so getting possession of the franchise. On this point we have recently had some instructive information from the Chancellor of the Exchequer, who told us the other night that a temperate working man drank eight quarts of beer a day. ["No, no."] That is certainly what he is reported to have said in *The Times* newspaper. [An hon. MEMBER: It was workmen of a particular class.] Well, that may be; but any one can calculate, taking the price of beer at 6*d.* per quart—for these men will not drink the fourpenny beer—that the difference between a £6 and £10 house may easily be surmounted by knocking off one quart of beer per day. It is not unreasonable, therefore, to say that it remains with the working men whether they will cross the present line or not; and, according to the statement of the Chancellor of the Exchequer, it appears as though there will be a considerable dilution of beer in the cream of the working classes of which the hon. Gentleman speaks. The hon. Member said there was at present a great deal of dissatisfaction among the people, which would be removed by this Bill? But is it probable that the people will be satisfied with this Bill? The facts are certainly against the hon. Gentleman's assertion. An attempt has recently been made to establish a Reform League between the middle and the working classes, and a conference has been held between the representatives of the working classes and of the middle classes to establish what is called in the United States a "platform" for a reform agitation. Mr. Odgers, the Secretary to the London Trades Unions, attended it, and he reported to the working men the result of the conference. In this report of his he says:—"Mr. Bright made a speech in favour of household suffrage" (so that the hon. Member for Birmingham is not in favour of this Bill, but goes beyond it), "which produced a most desponding effect on the meeting." Then he went on to say—

> "After him came Mr. Ayrton, who expressed exactly similar opinions, notwithstanding that he had been elected solely and simply because he advocated manhood suffrage. He would not follow Mr. Ayrton, as his twaddle was too contemptible to notice."

Then came Mr. Mason Jones, an Irish gentleman, a very clever man, who gives lectures, a friend, I believe, of the hon. Member for Bradford. [Mr. W. E. FORSTER: He was not before.] On Easter Monday there was to have been a great meeting on the subject of reform, at which 100,000 working men were to have been present, and Mr. Jones waited on my hon.

Friend the Member for Bradford in the lobby and asked him to attend a preliminary meeting and "go the whole hog" for universal suffrage. My hon. Friend said that he would attend if he might express his own views; and the answer was, "Then, Sir, we don't want you." Whereupon my hon. Friend turned away and went off into the House, and Mr. Jones apostrophized him in these words, which the hon. Member himself did not hear until I repeated them to him afterwards :—

> "You have no business to set your foot in those walls—a man of such opinions as yours has no right to a seat in there."

That is Mr. Mason Jones. At this same meeting of the working classes that gentleman moved a resolution in favour of manhood suffrage, which was seconded by Mr. Beall, Mr. P. Taylor, M.P., and Mr. Lawson, M.P., and carried without a division. I believe it will be said that this merely applied to the working men of the metropolis; but at a recent meeting of the working men of Bradford to consider this Bill a resolution was passed in favour not of this Bill, but of a rating suffrage, which was a very different thing from a £6 franchise. Therefore the working classes, as represented by their agitators (and these must not be confounded with the thoughtful portion of the working classes) are not satisfied with this Bill. Among others Mr. Potter. ["What Potter?"] Why, *the* Potter. Not the hon. Member for Rochdale, who came into the House to rescue us all from serfdom, but Mr. Potter of Trades' Union notoriety. He said at a recent Reform meeting —

> "None of the Reform Bills hitherto brought forward were acceptable to the working classes. The admission of 150,000 by the £6 franchise cannot for a moment be considered satisfactory. We ask for manhood suffrage, equalized electoral districts, ballot, triennial Parliaments."

Therefore the agitators were hostile to the Bill. And how did the thoughtful men among the working classes regard it?—for I quite agree in all that has been said by the hon. Member as to the high qualities of the working men, and, probably, if we were all put on our P's and Q's by the Civil Service Examiners some of the working men might turn out better than many Members of us. Were these men satisfied with the Bill? Hon. Members, who in reality know nothing about working men, occasionally talk of them as if they were the only persons acquainted with their feelings and opinions, just because they have a few working men in their constituencies or employ a few. But what are the facts? We have recently had a great strike in the iron trade; and to whom did the working men go in their difficulties when they wanted arbitration and conciliation? Birmingham is the great centre of that manufacture, and the men certainly did not go to the hon. Member for Birmingham, perhaps because they thought that for a work of conciliation it was not wise to go to a man whose whole public life has been spent in setting class against class. ["No, no!"] I repeat it, and it is a statement incapable of denial. No—they went to one of those men whom the hon. Member would tell them were opposed to the working classes and who disliked them, they went to a lord—to the lord-lieutenant of the county. If there is one man who has done more than any other to raise the working classes, and that, too, in the teeth of those who would represent that men of his order are the enemies of the working classes, it is Lord Shaftesbury. The good which the noble Earl has done is written in the Statute Book. The hon. Member himself referred, in terms for which I thank him, to my humble services in the Volunteer movement. I do not put myself forward as empowered to speak on behalf of the working classes, but I have been thrown much into contact with them since the commencement of the Volunteer movement. I have always struggled to get the working men into that movement, because I have always felt that nothing in the world will do more to strengthen this country against her enemies, wherever they are to be found. I am happy to say that that result has been obtained to a great extent, and I believe that two-thirds of the Volunteer force is composed of the working men of this country. Among those working men was one in my own corps with whom I had some little difference. He went away, but came back again to the corps, and subsequently became one of my best sergeants. He then went to America; but finding very soon that he did not like it he came home again. However, thinking that food was cheaper and employment more remunerative there—for he was a very clever workman, a painter and grainer—he went back to the United States, where he now is. I have kept up a constant correspondence with him; and when this Bill was coming on I wrote to him, with a view of ascertaining what the working men really think on the subject. The following is an extract from his letter, which, with the permission of the House, I will read:—

> "My dear Lord—Returning from a trip of 400 miles, I found your letter. I had been away some time graining the cabins of the big steamers that run from Grand Haven to Wisconsin. I consider the time favourable for a consideration of the suffrage question, but only for a consideration of it. Any action of a satisfactory kind is impossible without a long, careful, and searching inquiry into the intellectual and moral condition of the masses, directed in good faith by the heads of parties, with a view to the extension of the suffrage. There is no ground between the present standard and manhood suffrage, save educational tests or the evidence of providential habits. The proposal of a £6 rental qualification would be an insult to those among the working classes whose intelligence, loyalty, and patience deserved consideration. Stop any workman you meet in our cities, he will tell you that his rent amounts to at least a sixth of his weekly earnings, or a fifth of his yearly income; this is of necessity, but from choice the proportion of an intelligent workman's rent to his income is much higher. I know London, Manchester, Glasgow, and many other towns and cities well, but do not know any mechanic, having respect for himself or his family, who would live in a £6 hovel. Workmen, heads of families, pay for lodgings *5s.*, *6s.*, *7s.*, and *8s.*, a week in London, and from *4s.* to *6s.* in all our provincial cities. Clerks pay more than mechanics in proportion to their income, but they prefer half of a £30 house to the whole of a £15 house. But if rent is to have anything to do with voting, why not let all who pay £10 a year, but who are not rated because they are lodgers, vote? Domicile for a given time would be necessary, as it is here, for identification, and landlords' receipts give title for registration. You would thus greatly enlarge the constituency by men who prove their respectability by their own respect for the decencies of life."

But for this large and important class of lodgers not the slightest provision is made in this Bill. The writer goes on to say—

> "Universal suffrage was part of my youthful creed, but I have seen it in operation. The illusion is dispelled. There is no man in America who will deny the existence of the most frightful baseness and corruption in all political matters here, and while you are pressing forward this nation wants to go back. Educational tests are proposed by most, but many, desirous to throw the odium on emigrants, propose that all persons shall reside twenty-one years here before becoming entitled to vote. This would be a long apprenticeship to liberty for a freeborn Briton. It is easy to talk about the working classes, but there are few who have studied them. The Volunteer army has got the flower of them; those who enter the ranks are dead to faction."

He then goes on to mention some men to whom he referred as authorities, describing them as not active politicans, but thoughtful men, and far ahead of their class; and in particular he mentioned two who were pianoforte makers, and who, he said, knew well every wire and hammer of the political instrument. The letter, I believe, was written in March last. I sent for these two men, and I found that their views coincided exactly with those of my friend in the United States. I have also talked with a gentleman connected with 280,000 working men—an official of the Foresters' Society—and his views also concurred with those expressed in this letter. I have also conversed with another gentleman, Mr. M'Donald, the President of the Miners' Association, who represents some 60,000 men, and who has recently been in London on a mission of practical good for the workers in mines. It was greatly through his exertions that a Committee to inquire into the Workmen and Masters' Act had been appointed—another instance, by the way, of the manner in which the House, as at present constituted, attends to the interests of the working classes. Mr. M'Donald has some right to speak on behalf of the thoughtful and provident working men, because when he was a miner in Lanarkshire, he worked during all the summer months in order to save money to pay for his classes in Glasgow University during the winter. He had not got a vote —[Mr. BAINES: Hear, hear!]—because he lived in lodgings. I asked Mr. M'Donald to put his views on this subject on paper, and the following is the letter which he wrote to me:—

> "I think that fancy or provident franchises might well be carried out on the following or other bases:—1. By giving a vote to all who could show that for two years they had had not less than £50 in any chartered or Government savings bank. The effect of this condition would be to increase providence among the working classes to a very great degree. 2. By giving votes to all who pay income tax, and to all entered as Government annuitants under the recent Government Annuities Bill. As regards the question of Reform, the working classes at this moment, so far as I see, take but little interest in it. They look more to substantial comforts than to Reform. This much I do know, that they have little sympathy with that class of Reformers who would as yet have had the factory children working all but interminable hours in the factories, who would have had still the young engaged in the bleaching and dye work, all but chained to the stoves, and who are at the present time totally indifferent as to the long hours that the young are engaged in the mines of this country."

The ground I take is this—I find all those thoughtful men think that by lowering the franchise as is proposed in this indiscriminate way, while you will get a certain number of good, prudent, and intelligent men, yet inasmuch as the mass of men are improvident and ignorant, in spite of mechanics' institutes, and perhaps will be so till the end of time, the thoughtful and provident working people will be swamped as entirely as any other class of the community. I maintain, therefore, that this is not a satisfactory mode of dealing with the question. I say boldly that the grounds on which this Bill is brought forward will not hold water. The measure is one which strikes at those of the working classes who are thoughtful and provident, and places the political power of the country in the hands of the thoughtless and improvident. These, generally, are the grounds as regards the working classes—and it is in their interest the hon. Gentleman says he comes forward—on which I oppose the Bill. But I object on principle to lower the franchise, because once you do so the result is inevitable. This will not be denied by hon. Gentlemen; for, indeed, they have admitted it to me in private conversation. ["Oh, oh!"] I do not see any objection to my alluding in general terms to such private conversations as those to which I refer. Hon. Gentlemen are perfectly at liberty to repeat every word that I have said in this sort of private conversation. They admit, I say, that the result of this Bill, or any measure like it, will be to lead to universal suffrage. I have brought forward facts to show you that such will be the result; that this Bill will be taken only as an instalment, and that even now those who attend meetings in its favour are obliged to "go the whole hog." And looking to the history of the past, this is only what may be expected. Why, two years after the passing of the Reform Bill, a measure was introduced having for its object to bring about another great change in the Constitution; and from the date of the passing of the Reform Bill to the present time there have been something like forty great measures for a change in the suffrage and the constitution submitted to Parliament. Is there any likelihood that the history of the future will differ in this respect from that of the past? Is it not one of the peculiarities of the Liberal party that however they may advance, there will always be advanced Liberals? There will be different grades; there will be democrats at one end of the scale, and men of moderation at the other. There is no such easy way of obtaining popularity as by taking up the Constitution and giving it a good shake. That is a much easier mode of becoming popular than for the Retrenchment party to come down here night after night, and, by taking part in the debates on the Estimates, endeavour to keep down the expenses of the country. I happened to be here one night when a question of £14,000,000 was being discussed, and the only Member of the Retrenchment party present was the hon. and learned Gentleman who represents the Tower Hamlets (Mr. Ayrton). My hon. Friend the Member for Bridgewater (Mr. Kinglake) will bear me out in that. If you adopt a £6 franchise now, you will have a £5 franchise hereafter. I object to this lowering of the franchise, as being certain to lead to universal suffrage. I say that if any change is made it should be in a contrary direction, as the principle of universal suffrage is contrary to the whole system of our Constitution. I shall not enter into a long argument to prove this, because I think it must be admitted. The theory and principle of our Constitution does not rest on "the rights of man," but as Lord Russell once said, every man in our community has a right to be properly governed, not a right to vote. It is contrary to the spirit of our Constitution that you should have a representation of individuals. Classes and not individuals ought to be represented. This point is so ably put by one of your School Inspectors, the Rev. J. Norris, that I shall take the liberty of reading what he wrote in reply to a question which I asked him, with respect to the feelings of the working men, as far as his experience enabled him to form an opinion on the subject. He says—

> "In this sort of talk (not caring for individual representation) and in these instincts, surely one may trace the true principle of representation—that it should be a representation of classes and of great interests, not of individuals. A Parliament elected on the former principle (the organic principle) is a true mirror of our national life. A Parliament elected on the latter principle (the principle of disintegration) is a smashed mirror—each fragment represents something, but what the whole represents who shall say? Now a mere lowering of the franchise is a step in this last direction; neither right in philosophy nor likely to meet the healthy desire of the people, to have the wage paid class (as a class) more proportionately represented."

But there is another argument. You hear a great deal said about the pressure of an arbitrary line. No doubt £10 is a line which you have drawn; but there is no argument founded on that which will not apply with equal force to a £6 or any other line. As I said in 1859 the line which you drew in 1832 has changed, is changing daily, and will continue to change, and this, through the increase that has been gradually going on in the relative value of property and money. I have had this matter calculated in Edinburgh by the actuary of one of the greatest of the Scottish Assurance Companies; and he says—

> "Houses which in 1832 were let at £10 would now bring a rental of £12 10*s*. Other property has increased in money value to something like the same extent. Land, which in 1832 was sold for twenty-five years' purchase, giving for what then rented at £10 £250, would now sell for thirty years' purchase of the increased rental of £12 10*s*., or £375. The probable change hereafter will, no doubt, be in the direction of a similar increase; whether the tendency will be accelerated or retarded, must depend on many contingencies. Perhaps a safe assumption would be that the same rate of enhancement will continue to prevail."

In addition to this, remember the 40*s*. freehold, which in the reign of Queen Elizabeth represented eleven times the value of what it represents now; so that this arbitrary line is perpetually changing. In sixty years the franchise, which was fixed at £10, may, as a consequence of those changes, be reduced to a £5 franchise; and when dealing with a Constitution which has lasted for so many centuries this is an element that ought not to be left out of consideration. I wish to say, in conclusion, that I think the real danger to the country lies in the way in which this measure is treated within this House. We have this side roughly divided into advanced Liberals and orthodox Liberals. [*A laugh.*] Well, then, regular Liberals. I say it is roughly divided by this gangway into regular Liberals and advanced Liberals. Above the gangway you have Liberals, men who are members of the Fox Club, and who are inheritors of the traditions and policy of the Whigs of the days of that eminent statesman—men who are lovers of the Constitution and who wish to transmit it to posterity. Below the gangway you have advanced Liberals, men who, I think, can hardly be said to be in favour of the Constitution. ["Oh, oh!"] I make that assertion because they constantly, in their speeches, endeavour to throw discredit on the Constitution. ["No, no!"] You have a philosophic but not practical section, men whose views are represented by such writers as Mr. Goldwin Smith—who advocates pure Republicanism and who is Regius Professor of Modern History at Oxford, to which professorship he was appointed by Lord Derby—and Mr. Mill. The hon. Member for Brighton (Mr. White) advocates within the House somewhat the same principles as Mr. Mill does out of doors; but without those checks and counterpoises which Mr. Mill would apply. I think I may say that the philosophical Radical is not represented in this House, because I must admit that the philosophy propounded in this House is of a most practical character. Take the hon. Member for Birmingham (Mr. Bright) for instance. His philosophy consists principally in holding up the institutions of America in contrast with our own. In everything we see his wish is to assimilate the institutions of this country —I do not think they would go the whole length of republicanism—to the institutions which prevail in America. Now, Sir, I do not think there is any danger to this country from the speeches of those gentlemen, honest and conscientious as I believe them to be—able as I know them to be. Why? On account of the very apathy on this question which I referred to in the commencement of my speech, and because the country knows too well the practical advantage of the Constitution which it enjoys. It knows that we shall do away with the force of representation if we give a vote to every man and woman in the country on the condition that he or she do a sum in the rule of three before they go up. Unpractical theories like these find no place in the thought of the people of this country, nor do they appeal to the sympathies of a practical people. On the other hand, persons of extreme radical views, seeing that such a measure as the present would give a stimulus to improvidence, and eventually lead to universal suffrage, and knowing that there was no wrong which could not now be remedied and redressed, recoil against the notion of going in the direction of American institutions. Therefore it is that no danger is to be apprehended from gentlemen holding these extreme views. Where the great danger lies is in the way in which this question is treated—namely, not as a great question of principle, but as a question of party—because it is undeniable that it is dealt with in this way. You hear two different languages on the subject; you hear one outside, and the other inside these doors. I will go further, and say that even within these walls you hear one language, Sir, behind your chair and another in front of it; and you have men voting for this measure who dislike it in their hearts. You also have Governments sanctioning a guerilla war on this question, and not having the pluck to come forward and stop it, though they, too, dislike the Bill quite as much in their hearts. Two reasons are assigned for this inconsistency. One, duty to party; the other, duty to self. I believe that the Government of this country must be carried on by party; but I believe, likewise, that there are great questions which ought to be taken out of the demesne of party; and that after you have got the Constitution fixed this question of the suffrage is one that ought to be settled by the two parties in this House, not in the interests of party but in the interests of the nation. It so happens that I cast my eye the other day on a page in Mr. Kaye's *History of the Indian Mutiny* — a book which contains writing as pleasant, effective, and exciting as anything in any of Mr. Wilkie Collins's or Miss Braddon's novels. In reference to this question of party Mr. Kaye says—

> "In that country (India) public men are happily not exposed to the pernicious influences which in England shrivel them so fast into party leaders and Parliamentary chiefs. With perfect singleness of aim and pure sincerity of purpose they go with level eyes straight at the public good, never looking up in fear at the suspended sword of a Parliamentary majority, and never turned aside by that fear into devious paths of trickery and finesse."

I do not believe that even the interests of party require that great questions of this kind, on which the very ground under us depends, on which the inheritance of our children may be said to rest, should be made party questions. They ought to be settled in a reasonable manner by both parties uniting to devise the means by which this can best be done. Neither do I believe that in the interest of individuals it is wise to use one language in public and another in private. I believe that a mistake we too often make is to listen to the noisy section of our constituents, and suppose they speak the opinion of those who send us to Parliament. Those who are inclined to act in this manner would do well to remember a beautiful passage in the writings of Mr. Burke, where he observes that listening to the hum of bees and the noise of insects you might imagine that they were the sole inhabitants of a field in which a herd of oxen were quietly browsing. I believe that the heart and the head of the country are sound on this question, and that the country is not in favour of those wild organic changes. In 1848, when an attempt was made by force to storm the Constitution the people of all classes uprose as one man and defended it. What we have to guard against now is not an attack upon the Constitution by visible forces, but an attack by sap and by mine; but I believe that if the Members of this House will stand by the Constitution the people—their constituents—will stand by them. I have, on these grounds, determined to move the Previous Question. There are other objections to the Bill, but they are self-evident — such as the fact that it is brought in at the end of a Session and of a Parliament, and the inconvenience of such a measure being taken up by a private Member — the fact of its being a Bill which its Mover and supporters know cannot, under any circumstances, become law this Session — for we are all aware that any Bill in the hands of a private Member, even though it may have been read a second time, stands very little chance of being passed this Session. But, as I have observed, these objections are self-evident, and therefore I have not argued them. I have endeavoured to argue on the broad question whether or not it is wise and for the interest of the country to lower the franchise. At the same time, I wish to guard myself against being one of those who believe in finality in human affairs. There is nothing final, except the close of human life. But I say that if changes are to be made, they ought not to be made in the direction of this Bill. It is a dangerous direction; while in any change of the franchise you should secure justice for all classes of the community, including the working man. By breaking through the £10 arrangement—by lowering the suffrage — you cut the string of the pendulum which regulates the working of the machinery. If you find extension necessary, you should try to secure it, not by cutting the string, but by extending the chord of the arc which the pendulum describes without lengthening the line. [An hon. MEMBER: How would you do that?] I am asked how would I do that. By giving more momentum to the machinery in the way pointed out by my friend the working man. I can hardly hope that what I have said will influence the votes of hon. Members on this occasion. But I have spoken of the faith that is in me; and as an humble instrument sometimes leads to considerable and notable ends, I hope that in endeavouring to change the current into another channel I may have done some good; and, as this Bill professes to be in the interest of the working man, I have thought it not inappropriate to quote the opinions of intelligent, thoughtful, and industrious persons of that body; and I hope I may be the humble means of effecting some good in connection with this question, if I have suggested to men of more ability than myself points which are worthy of being considered in the course of this discussion. With these remarks I beg to move the Previous Question.

MR. BLACK, in seconding the Amendment, said, that he considered the course proposed by this Bill to be exceedingly dangerous, that it was only the first step in a downward progress towards revolution. What is it that this Bill proposes to do? It is to confer the electoral franchise on every occupant of premises of the yearly value of £6—which premises, it is explained, must consist of a dwelling-house exclusive of land, and the house must be of the yearly value of not less than £3, or 1*s*. 3*d*. a week. It does not stimulate the working man who is anxious for a vote to increased industry, economy, and prudence, in order that he may obtain the object of his ambition, and, at the same time, provide himself and his family with a dwelling conducive to health and decency, but it in effect says, "You need not exert yourself to rise, for we will come down to you." No prudent man would step into a railway carriage without first ascertaining where it was to stop; it will be too late to inquire after the train has begun to move; so I consider it will be prudent, before we begin to move in this direction, to ascertain where we are to stop. There is obviously a want of agreement on this point. Some propose to stop at the £6 house, some at the £5, and some to go beyond the houses altogether; and if we are to go in this direction at all, it is with these last I am persuaded we shall be obliged to travel. If in the elective franchise we agree to a downward movement, we must be prepared for an accelerated descent, and that by geometrical progression, till we reach the bottom. To the arguments generally used by those who advocate Parliamentary Reform by merely lowering the franchise, certainly tend, they say, that those from whom it is withheld are unjustly deprived of their rights, that they are degraded by their exclusion, that they are worse treated than the serfs in Russia; but if it is injustice and degradation to be excluded from the franchise when you relieve the £6 tenants, you inflict, according to your own arguments, injustice and degradation on all below £6. The first question they were called upon to decide was whether the franchise was an inherent and inviolable right, or a trust committed to those on whom it is conferred, for the benefit of the nations. If it is a right which the possessors are entitled to exercise for their personal benefit, then it must appertain to every individual in the kingdom, and its exercise ought not to be limited to persons inhabiting houses of a £6 rental. The hon. Gentleman who had brought forward the Bill, had laid before them most valuable statistics, showing the vast increase in the quantity of paper used in printing political and other works; and they would have strongly supported his argument as to the advances which the £6 householders had made in political and general knowledge, and consequently their fitness to exercise the franchise, if he could have shown that the whole of the works for which the paper was used had been purchased exclusively by persons inhabiting houses the rental of which was between £6 and £10. It was said that withholding the franchise from £6 householders was a degrading and insulting grievance. If that assertion were correct, did it not apply equally to those who inhabited houses of a less rent, and, in fact, to all persons from whom the franchise was withheld? Surely it was adding insult to injury to open the door to a portion of the community, and to tell those who were excluded that the fact of their not being admitted degraded them in the eyes of their fellow-countrymen. The Bill before the House proposed to admit only 240,000 out of 6,000,000 adult males. What was to become of the odd 5,750,000 who were to remain unrepresented? The Bill applied only to England and Wales. He could not understand why Scotland and Ireland should have been omitted, because if the franchise was to be given to those who occupied £6 houses, why should not the Scotch and Irish £6 householders also be entitled to a vote? If the hon. Gentleman's argument were correct, an enormous injustice was being done to every man from whom the franchise was being withheld. In fact, the logical and consistent deduction from the arguments of those who advocated the reduction of the franchise, in order to enfranchise particular sections of the community, was decidedly in favour of universal suffrage. It would be well on this point to look at the language of those who were demanding to be admitted into the franchise. He had taken notes of the different petitions in favour of

Parliamentary Reform which had come before the House in the course of the present Session. Of the ten which had been presented three were professedly in favour of this Bill; but when they were examined it would be found that they went considerably further in their demands than the terms of the Bill itself. In a petition from the inhabitants of Carlisle he found the words to be these—

> "Your petitioners desire the enlargement of the Reform Bill, extending the borough franchise to all householders."

Again, the inhabitants of Norwich said—

> "We the undersigned loyal subjects of Her Majesty are industrious working men who pay our share of the taxes and help to maintain and increase the national wealth. We think it unjust that we and our brethren throughout England should as a rule be declared unworthy to enjoy the rights of citizens. We pray, therefore, that another Reform Bill may be passed to give to all honest, industrious, and loyal men their rights of election."

The North London Political Union in their petition asked that every sane man over twenty-one years of age, not undergoing punishment for crime, and not having been arrested within six months prior to the time for registration, should be put upon the register and entitled to vote at the election of Members of Parliament; they also demanded vote by ballot. Several other petitions were couched in somewhat similar terms, and they proved one thing most clearly—namely, that those who were agitating for Reform would not be satisfied with the Bill which the hon. Gentleman had proposed. If there were any reason in the arguments of the hon. Gentleman, and of those who advocated this Bill, the persons who drew up those petitions were quite right in going as far as they did—because if the Bill were carried, there could be no escape from universal suffrage; and unless the advocates of the present measure gave the franchise to the whole of the people they would not be acting up to the logical deduction from their own arguments. Let hon. Members be assured that if they stood with their hand upon the half-opened door and, after admitting the 240,000, said to the others, "You are unworthy of being admitted and we shall leave you standing out in the cold," there would then be that "ugly rush," and the millions who were outside would press forward, and in the end, in the course of a longer or a shorter time, they would arrive at their object, namely, universal suffrage. The question, therefore, lay simply between universal suffrage and the preservation of the British Constitution—the destruction or the continuance of the system of Parliamentary representation which they possessed at present. He, for one, would lift his voice against any attempt to destroy or impair the Constitution, as he believed there was more freedom both of speech and of action and greater peace and prosperity in this country than in those where there was either universal suffrage or a much lower franchise than ours. He could not help, under these circumstances, regarding the Bill as being somewhat of a revolutionary character—not that he was opposed to a well balanced Parliamentary Reform, but because he considered that the tendency of this Bill was to bring into our representative system an overpowering number of one class which would swamp the others, and end in universal suffrage. The hon. Member (Mr. Baines) said the £6 householders ought to be admitted because they had made such great progress in political and other knowledge. But if that were to be admitted as an argument they had better at once send round Civil Service Commissioners to examine the entire bulk of the population, in order to ascertain who among them were entitled to be enfranchised. Earl Russell, in his introduction to his Essay on the English Constitution, gives an account of the manner in which the Reform of 1832 was prepared. When asked by Lord Grey to prepare a sketch of the plan he says—

> "There were evidently two modes in which Reform might be approached. The one was to consider the right of voting as a personal privilege possessed by every man of sound mind and of years of discretion as an inherent inalienable right, belonging to him as a member of a free country. According to this theory the votes of the whole male adult population form the only basis of legitimate government. Other political writers and eminent statesmen while of opinion that a free and full representation of the people forms a necessary condition of free Government acknowledge no personal right of voting as inalienable and essential. They consider that the purpose to be attained is good Government, the freedom of the people within the State, and their security from without, and that the best mode of attaining these ends is the problem to be solved. It seemed to me that these last reasoners were in the right."

I agree with the political writers and eminent statesmen to whom Lord John Russell referred, that the elective franchise is not a right but a trust, and the people are entitled to that system of Government which will confer upon them the greatest amount of happiness and prosperity.

Whereupon *Previous Question* proposed, "That that Question be now put."—(*Lord Elcho.*)

MR. LEATHAM: Sir, it is an admitted maxim that it is never too late to mend, and we may all further admit that it is never too late to learn. Now, if I recollect rightly, the hon. Member who has just sat down (Mr. Black) gave his constituents a few years ago a series of speeches in approval of the measure proposed by the noble Lord the then Member for the City of London. [Mr. BLACK: No, no.] Then I am misinformed. The hon. Gentleman is a fitting seconder of the Amendment which has been moved by the noble Lord the Member for Haddingtonshire, because the noble Lord the Member for the City of London stated that he withdrew his Bill in deference of the speeches of the hon. Gentleman and of another hon. Gentleman not now a Member of the House (Mr. Massey). I do not propose to reply to the arguments of the hon. Member, as both his arguments and his conclusions were quite inaudible where I sat. I should, however, like to say a few words with reference to the extremely able speech of the noble Lord who has moved the Previous Question. The arguments of the noble Lord naturally fall under two heads; first, those which are proper to his Motion, which is a Motion for time; and secondly, those arguments which are not proper to the present Motion, but to another Motion, which, whatever may have been the noble Lord's inclination as evidenced by his speech, yet, sitting upon this side of the House, he seemed hardly to have the courage to move—namely, that the Bill be read a second time upon this day six months. I will first dwell upon those arguments—or rather I ought to say assertions—which are proper to his Motion. The noble Lord said that this Bill ought not to be supported—in fact, that it ought never to have been introduced at all—because it has not been introduced by the Government. I might say, in reply, that when a similar proposal was introduced as part of the Bill of the noble Lord then Member for the City of London, as a Government measure, it did not receive the support of the noble Lord the Member for Haddingtonshire. But how does he suggest that this question should be kept alive in Parliament if, when the Government is too weak or too supine to deal with the subject, independent Members are to be equally precluded from doing so? No doubt hon. Gentlemen who sit in this part of the House give what is called a general support to the Administration; but surely they are not expected to carry their allegiance quite so far as to refrain from the discussion of, or to be debarred from introducing measures which they believe to be of incomparable importance—measures which have received the deliberate sanction and approval of the existing Administration which have been recommended from the Throne, and which have only not been pressed on because of reasons best known to the Government themselves. Independent Members are not to be put to silence because the Government choose to run away from the opinions they have expressed and the pledges they have publicly given. And how are we to act for the future upon the Government if, when they choose to drop a great question to which they are distinctly pledged, our lips are to be sealed and there is to be no remonstrance and there is to be no appeal? How are we to clear ourselves from the charge of connivance in that shelving of the question? There is no doubt that the Government ought to have introduced this measure, and that they should have brought it forward with all the weight and authority of a responsible Administration. But how does the fact that the Administration have failed in their duty release us from the pledges we too have given, and from which we too are not disposed to run away? I do not think it helps the noble Lord to say that there is no chance of passing this measure unless it receive the active support of the Government, and that, therefore, it ought not to have been introduced. It was by debate in Parliament, and especially in that House, commented upon as they were by the press, and originating and maintaining as they did, discussion all over the country that public opinion was formed and confirmed; and though it is the province of a responsible Government to deal with great constitutional questions, it is also the province of every Englishman, and especially of every Member of this House, if he pleases, to take the initiative in all matters relating to public opinion. But the noble Lord said that the last year of an expiring Parliament is not the time to introduce a measure of this character—will he prescribe a given period in the life of a Parliament when he thinks such a question as this ought to be discussed? Is it when we are fresh from the country? There is no great inclination at that time to undertake the discussion and settlement of a question which involves an immediate revisit to our beloved constituents. How many years of that absence which "makes the heart grow fonder," are necessary before our yearning towards them reaches such a pitch that we should be inclined cheerfully to arrive at a decision which would involve an immediate return to the country? If it is not immediately after a general election, or immediately before a dissolution, when ought we to discuss Reform? When anything is asked to which the House has a repugnance it will be found that it is always asked too soon—except when it is asked too late. These are the arguments proper to the Motion of the noble Lord, at which he glanced very briefly. I will now pass to those which are not proper to the Motion, but which the noble Lord elaborated very carefully. And here I may say that it is no part of my intention to enter upon any sustained argument, or to give the House any laboured statistics on this question. I think we have reached a phase in the history of this question when candour is more wanted than statistics. It has been admitted by both sides of the House that there exists in the country a large number of persons who are wrongfully excluded from the franchise. Hon. Gentlemen opposite have admitted this by the fact of their having introduced a Bill, the object of which was, according to their own statements, to admit some hundreds of thousands of persons within the pale of the constitution. Both sides will admit, in the second place, that it is inexpedient to keep this question dangling for ever before the eyes of the people; and, in the third place, if we are to arrive at any settlement at all, that it ought to be a settlement broad and liberal—broad and liberal enough to last our time. Surely the noble Lord and his friends do not suppose that any less liberal settlement of this question than that proposed by my hon. Friend the Member for Leeds is likely to answer these conditions, or that by temporising you can defer the settlement of this question to a time when it may be settled more in accordance with the views of the noble Lord. Now, what is the real obstacle to the passing of this Bill? It seems to me that the attitude of the noble Lord and his friends resembles nothing so much as that of a patient about to undergo a painful operation. The patient knows that he must have it out, yet he begs for five minutes' grace, and this craving for grace takes the form of argument as inconclusive and incoherent—if I may be allowed to say so—as those to which the House has listened to day. The noble Lord argues against this Bill on the ground that no Reform is necessary. He says the State is well governed; therefore we have no need for Reform. ["Hear!"] Hon. Gentlemen opposite think we have not, and I am not surprised at their thinking so. This is a time-honoured argument of which we heard a good deal forty years ago. It is the "Vellum and Plumpkin" argument, which was so well ridiculed by Sydney Smith—

> "Under Vellum and Plumpkin we have become a great nation. Under Vellum and Plumpkin our ships have covered the ocean. Under Vellum and Plumpkin our armies have triumphed over the strength of the hills. To turn out Vellum and Plumpkin would be, not Reform, but Revolution."

The Question before the House is not whether the country is well governed or not. We profess that in this country we live under free institutions; we do not regard the Government of this country as the noble Lord regards it, as an admirable mechanical contrivance, but as something with a soul in it—the intelligence of the country governing itself; and so long as there is admitted to be a large amount of intelligence outside of the Governing body, so long we contend is our ideal of Government not realized; and so long wherever it is practicable there is need of Reform. The noble Lord went on to say that if we conceded this Bill the probability would be we should have to concede something else. That is the old, old stumbling block over which hon. Gentlemen have fallen times out of mind—they refuse to concede something justifiable and unobjectionable, because they may afterwards be asked to concede something unjustifiable and objectionable. And what happened? When justice was at last extorted they had to fight their real battle, or what appeared to be their real battle, mortified, humbled, and prostrated by defeat, instead of being fortified by a graceful and timely concession. I now pass to the argument of the noble Lord that we are about to swamp the constituencies. I would ask the noble Lord, in the first place, where it is that the preponderance of the working classes would be so great as to swamp the constituencies? Is it in the large boroughs or the small boroughs? Unquestionably not in the small boroughs—but in the very places in which we have the authority of the right hon. Baronet the Member for Hertfordshire (Sir Bulwer Lytton) for saying, "that democracy may be said at present practically to prevail." It would seem, therefore, that all the mischief which can be done has already been accomplished. But have hon. Gentlemen opposite observed a remarkable fact in reference to some of these large boroughs, that now and then they return Conservatives? Why is that? Strong individuality of opinion is the *forte*, it may be also the foible, of Radicalism. Where the Radical element is very strong divisions take place, and of those divisions the Conservative readily avails himself and thus enters this House. Now, by this Bill hon. Gentlemen opposite tell you you are showing them the Radical element. Depend upon it then that these instances will be multiplied; and if that be so, that is nothing of which the hon. Gentlemen opposite need complain. I maintain that the whole argument about swamping the constituencies is based upon an entire fallacy—that the unit of a vote is the measure of the political power of the man to whom the vote belongs. This fallacy has been exposed by a right hon. Gentleman now in the House, whose words are always received with great attention, and with the consent of the House I will read them —

> "We know very well what takes place at a Parliamentary election in this country. The man of princely fortune has, when he goes to the poll, no more votes than the humbler dweller in a £10 house, because we know very well that his wealth, his station, and his character will give him an influence which will adequately represent his property, and the Constitution shrinks from a plurality of votes in such a case."—[3 *Hansard*, clii. 975.]

These are the words of the right hon. Gentleman the Member for Buckinghamshire. Well, Sir, I maintain that, unless it can be shown that the Bill of my hon. Friend will enfranchise so large a number of persons that they will positively outnumber the persons in possession of the franchise, and not only outnumber them in the gross but in the majority of the constituencies, and that they will so far outnumber them as to outweigh the influence which belongs to wealth, station, and education, and which practically gives twenty or thirty or fifty-fold votes to individuals; and unless it can be shown that the opinions of the class to be enfranchised are absolutely and dangerously at variance with the opinions of those who are at present enfranchised, it is idle to come down to this House and in accents of apprehension deprecate this measure, as the noble Lord has done, as dangerous and revolutionary. I did not rise solely with a view of replying to the arguments of the noble Lord, but I wish to say a few words upon the interpretation which he gave to the wishes and views of the working classes. I mean no disrespect to the noble Lord, but I cannot regard him as quite so sound and reliable an interpreter of the views of the working classes as, for instance, my hon. Friend the Member for Bradford and my hon. Friend the Member for Leeds. They have not derived their knowledge of the working classes through the post—their knowledge is personal — the growth of a lifetime; which the noble Lord would substitute for this Bill. They condemn them because they consider that the working classes would not receive their due share of political power under them, and because they would introduce into our electoral system a totally new principle, and that at a time the admission of a new class of voters, when it was most desirable to escape from the least suspicion of insincerity. Now, it is of incalculable importance in dealing with the working classes that you should convince them that you are dealing fairly and honestly with this question, and unhappily the course of procedure followed by this House tends rather to establish an opposite conclusion. Depend upon it that any attempt at filtration—for such I believe to be the nature of the franchises indicated by the noble Lord—will be regarded by them as an attempt at evasion. I would also say that the time is rapidly passing when this can be regarded as a question of what we are to give; it is rapidly becoming a question of what they will take. Reference has been made to the course of policy pursued by the Government, and I wish to call attention to the strange and anomalous position which the Government appear to occupy in reference to this subject. I had hoped, especially after the speech of the right hon. Gentleman the Chancellor of the Exchequer last year—which was sufficiently pronounced—that the approach of an impending dissolution might have quickened the perceptions if it did not brace the consciences of the Whigs. Whatever excuse there might have been six years ago for postponing the solution of a question which involved, on the part of Members, an act of immediate self-immolation, surely it is quite impossible for a Parliament which is approaching the natural and inevitable termination of its existence still to postpone its engagements and still to retain its honour. Now the engagements of this Parliament with reference to the question of Reform are positive. The engagements which the Government made with the country—made to their constituents—and made especially to those of their supporters who sit in this part of the House—are if possible more positive still. They constitute a deliberate compact from which right hon. Gentlemen have never been released—and upon the faith of which, and on the faith of which alone, they were permitted to obtain that preponderance in the House which enabled them to displace the Government which preceded them. Do right hon. Gentlemen suppose that they can enjoy all the advantages of this bargain, and repudiate all its obligations? In the face of these obligations — for they are incontrovertible— how are we to explain the fact that the Government still refuse to proceed with this question? I think the explanation is sufficiently curious. It is curious on account of its originality and ingenuity; and it is still more curious when we consider the special Minister who was selected by his Friends to make the explanation to the country. The right hon. Gentleman the President of the Board of Trade—who of all men in the House it might have been supposed would not so soon have forgotten the compact which was made between his Friends who sit in this part of the House and his Friends who sit on the Treasury Bench—volunteered the other day a very elaborate apology for the policy of the Government. The gist of his apology seems to be that he thinks that there is a special code of morality for the use of Ministries, the principal postulate of which is that you may run away from your engagements with honour if you can only do so with impunity. The right hon. Gentleman endeavoured to shift the burden of blame from the Ministry to the people. What does he say? His words are, "He defied any Administration that had laid a Bill on the table of the House, however sincerely"—I suspect he meant insincerely—"to have receded from that position if the great body of the electors had been in earnest in keeping them to their promises." I ask the right hon. Gentleman what is the use of a representative system—what is the use of a general election at all—if, when you have raised a great question at the elections, and have solemnly taken the verdict of the people upon it, and armed yourselves with that verdict for the discomfiture of your political opponents, you turn round, and because your tergiversation does not instantly provoke disorder, take it for granted that you are released from all your engagements, and with a coolness which is perfectly exquisite you say to the people to whom you have forfeited your word, "The fault is not ours but yours—yours because you were credulous enough to place confidence in the faith of public men—yours because you were weak enough to believe in such things as Queen's Speeches, repeated manifestoes of Cabinet Ministers, express Resolutions of this House—yours, because believing in these noisy abstractions you did not come to the aid of our consciences with your menaces and to the rescue of our honour with your indignation." Let us go a little further into this remarkable apology. How is it that the right hon. Gentleman deals with the measure which was laid on the table of the House by the Government? "By a curious combination of causes, which he was at a loss to unravel, that Bill was apparently smothered—smothered by speeches and all sorts of things—delaying and delaying—until at last the discovery seemed to break in on the minds of many in the House that there was no sincerity whatsoever as to the support which the Bill had received. They had all got uneasy consciences about this Reform question." The House will doubtless agree with me that there is something very lucid and instructive in all this. "By some curious combination of causes, which he was at a loss to unravel," "smothered by speeches and all sort of things," "discovered that there was no sincerity whatever as to the support which the Bill had received," "they had all got uneasy consciences;" and so the right hon. Gentleman salved his uneasy conscience by discovering that no one was in earnest about Reform. I confess I am at a loss how to describe in adequate, yet Parliamentary, terms this ingenious attempt to get rid of a distinct political pledge. When were the Government released from their pledge? They have not gone to the country yet, nor do they show any disposition whatever to go to it. If they were unable to meet their obligations, why did they not do what other people do under similarly distressing and embarrassing circumstances—call their creditors together and take the benefit of the Act? The right hon. Gentleman and his Friends showed no disposition to take the benefit of the Act; the noble Viscount appears to have a positive aversion to what is technically termed "whitewashing." He has no inclination whatever to go to the country. He postpones the evil day till the latest possible moment. And no doubt he is right; because, depend upon it, it is altogether premature to assume that the people are prepared to make things so pleasant to those whose conduct with reference to the Reform question, if it reminds them of anything, reminds them of the fast-and-loose performances of the Davenport Brothers, which have ended so disastrously to those eminent performers, and in what some of the papers call "smashing the Cabinet." The right hon. Gentleman falls back upon the fact that the people are quiescent. No doubt they are quiescent — suspiciously quiescent—as quiescent as the right hon. Gentleman under the pangs of his uneasy conscience. But what is the meaning of this quiesence—I do not mean on the part of the right hon. Gentleman, but on the part of the people? Is it because they are waiting for a better Bill? There is nothing about this Bill—nothing about the Bill of the noble Lord (Earl Russell) which was likely to raise to a great pitch the enthusiasm of the working classes. Many of them regard it as very little more than an attempt to establish within their own class a privileged and conservative caste. The class which would be enfranchised by this Bill and by the Bill of the noble Lord is too limited in number, too cautious, too busy and responsible to indulge in vehement agitation. Even if they were not all this, what prospect would there have been of raising an agitation loud and turbulent enough to have alarmed this House and to have restored right hon. Gentlemen to the use of their uneasy unconsciences? Any such agitation must be based on an appeal to the great mass of the working classes, and when the object of that agitation is a measure the effect of which would be to erect a barrier of distinction, if not of jealousy, between the upper class artisan, who would be admitted to the franchise, and the lower class artisan who would be excluded, it is not surprising that the great bulk of the working classes refused to become the instruments and witnesses of the aggrandisement of their fellows. It is thus that you have no agitation, no monster meetings, no huge petitions, no interminable processions, no black flags, none of the paraphernalia, which the right hon. Gentleman seems to wish to see, but which, I hope, we shall never see again in this country, and which forty years ago scared out of their remaining senses all the old women in the country, whether in or out of breeches. The right hon. Gentleman argued, therefore, that the policy of the Government has been a justifiable policy. But let him observe what is actually occurring. Convinced that there is no hope of spontaneous justice from this House, and that he cannot achieve his own enfranchisement, the upper class artisan is making up his mind to cast in his lot with his humbler classmate, and the result is, that we are about to have the only combination which can contain any element of danger. The trades' unions, possessing in their secret machinery and endless ramifications that unseen and incalculable force, which, when applied to politics, has in less happy countries again and again precipitated the State into troubles, are tardily, I own, as though reluctant to bring into play their tremendous organization, embracing the cause of Reform. Radical though I am, I confess that when I regard this new movement side by side with the manifest disinclination of the House of Commons to deal justly and fairly with the question of Reform, I am not altogether free from apprehension. It would be better, no doubt, that Reform should be extorted even by an agitation of that character than that its concession should be postponed until one of those periods when the spirit of innovation, and perhaps of mischief may be abroad; but it would, I think, have been better still if disregarding at the outset the paltry suggestions of a hand-to-mouth expediency Parliament had achieved the incorporation into the body politic of a portion of the working classes, and with the manliness which belongs to us as English public men had carried out cost what it may—yes—even the horrors of a dissolution — the policy which, after mature deliberation and abundant information, the Liberal party had avowedly espoused. If that incorporation must after all take place under less favourable circumstances—if it must result from a combination which was originally formed for other objects, the special and — I use the word in no invidious sense—the selfish objects of a class, then we shall have taught the working classes their first great lesson in political isolation; and we shall have to thank for it those who, like the noble Lord, are postponing and postponing the settlement of this inevitable question in the almost puerile hope that hundreds of thousands of intelligent men, surrounded by everything which cannot fail to remind them that they are no longer ignorant and powerless, will be content to remain as long as you please to leave them under the brand and under the ban of your distrust.

Mr. LOWE: Sir, in order that I may obtain and merit the indulgence of the House I shall endeavour to confine myself as much as possible to the exact question at issue in this debate, which is, as I apprehend it, whether it is desirable to extend the franchise in boroughs by lowering its pecuniary amount. That appears to me to be a sufficiently large question for a single speech, without touching any other part of the subject of Reform, because it involves the consideration whether it is or is not expedient, in the existing circumstances of this country, to make a further advance in the direction of democracy. I congratulate the hon. Member for Leeds on having to-day succeeded in enlisting the advocacy of the hon. Member for Huddersfield in favour of his one-barrelled Reform Bill, although I have no doubt that hon. Gentleman would have preferred to handle a revolver. I cannot, however, congratulate the hon. Member for Leeds on the arguments in support of his views which the hon. Member for Huddersfield has advanced. Let the House for a moment reflect upon what fell from him towards the close of his speech. He said that if this Bill were passed it would form an aristocracy among the working classes, which would be regarded by the remainder of those classes with jealousy and dislike. He reminded us of the agency which Trades' Unions afford ready to the hands of those who would be animated by this jealousy and dislike to enable them to extort from this House further reforms. Is the prospect he thus holds out to us satisfactory? Does he give us any hope that when this Bill has passed, we shall have settled anything, or does he not make it quite clear that we shall have unsettled everything? If I am to judge by this debate, no position is happier or easier than that of those Gentlemen who undertake to advocate the cause of democracy in the House of Commons. It is a task which seems to require the smallest amount of thought and least copious vocabulary of words. One hon. Gentleman says the working classes are "wrongfully" excluded from the exercise of the franchise; another describes their exclusion as "unjust;" a third looks upon them as being in consequence "degraded;" while a fourth speaks of them as being "slaves." So we go on until we have an accumulation of about a dozen such terms, by the use of which some hon. Gentlemen seem to think they have done sufficient to prove their case, and to throw the *onus probandi*—as it is now the fashion to say—upon those who differ from them in opinion. This extreme facility arises from the fact that the House permits on this subject arguments very different in their nature from those which we are accustomed to expect in dealing with other subjects. Mr. Mill, for instance—a great authority—tells us that his ideal of good government is that every citizen should have a share in it, while the Chancellor of the Exchequer, a still greater authority, says—

> "Is it right, I ask, that in the face of such dispositions the present law of almost entire exclusion should prevail? Again, I call upon the adversary to show cause, and I venture to say that every man who is not presumably incapacitated by some consideration of personal unfitness or political danger is morally entitled to come within the pale of the Constitution."

Now, this kind of argument is the easiest in the world, and is widely different from that style of reasoning which the House is in the habit of demanding from its Members. Hon. Gentlemen will, I think, concur with me in thinking that the true view of the science of Government is that it is not an exact science, that it is not capable of *à priori* demonstration; that it rests upon experiment, and that its conclusions ought to be carefully scanned, modified, and altered so as to be adapted to different states of society, or to the same state of society at different times. If so, nothing can be more difficult than to meet such concise and sweeping arguments as those to which I have referred, because a man who is careful to weigh what he has to say on a subject like this cannot put the results of an intricate and exhaustive process in a single sentence. And to what do the arguments of those who, like the Chancellor of the Exchequer, advocate the right of the working classes to be admitted to the exercise of the franchise amount? To that assumption of the *à priori* rights of man which formed the terror and the ridicule of that grotesque tragedy the French Revolution. When the Chancellor of the Exchequer said that the *onus probandi* lay with his adversary in this instance he must have meant that anterior to the existence of society there was vested in every man some personal *à priori* right which nobody had authority to touch. When Mr. Mill, in like manner, speaks of every citizen of a State having a perfect right to a share in its government, he appeals to some *à priori* considerations, in accordance with which every man would be entitled not only to be well governed, but to take part in governing himself. But where are those *à priori* rights to be found? The answer to that question would lead me into a metaphysical inquiry which I shall not now pursue, contenting myself with saying that I see no proof of their existence, and that the use of the term arises from a bungling metaphor, by which a term appropriate to the rights arising under civil society is transferred to moral considerations antecedent to it. Can those alleged rights form a ground on which a practical, deliberative Assembly like the House of Commons can arrive at a practical conclusion? If they do in reality exist, they are as much the property of the Australian savage and the Hottentot of the Cape as of the educated and refined Englishman. Those who uphold this doctrine must apply it to the lowest as well as to the highest grades of civilization, claiming for it the same universal, absolute, and unbending force as an axiom of pure mathematics. A man, according to the theory of which I am speaking, derives a right of this kind from God, and if society infringe it, he is entitled to resist that infraction. He is judge without appeal in a cause over which no human tribunal has jurisdiction; he is executioner as well as judge, and so this seemingly harmless dream puts the dagger into the hand of the assassin. Those abstract rights are constantly invoked for the destruction of society and the overthrow of Government, but they never can be successfully invoked as a foundation on which society and Government may securely rest. We heard little of these metaphysical subtleties in 1832, for that generation remembered the controversies which sprung out of the French Revolution; they had the *Anti-Jacobin* by heart, and were conversant with those arguments by which Bentham, the Arch-Radical, the advocate of universal suffrage, had effectually exploded them. I come to those arguments which may be described as sentimental. It is contended that it is our business to elevate the working classes, and there is not one of us, I am sure, who would not feel the utmost pleasure in effecting that object. But the way to elevate the working classes is not, it seems to me, to lower the suffrage, the very means of the proposed elevation, or to seek after that sort of elevation which has resulted in Australia in the franchise being so despised that people hardly care to pick it out of the gutter. In Victoria suffrage is universal. People are registered either in respect of property or person. This last registration must be every three years. In order to raise the franchise and so improve the Government, an Australian statesman hit upon the happy device of requiring a shilling fee for registration. The effect was magical. I am informed that it diminished the personal voters by one-half. A franchise which in the estimation of those who have it is literally not worth a shilling cannot be a very powerful lever for the elevation of the working classes. Another argument is, that we ought to reward the working classes. This, however, is not a question of patronage; it is a question of selecting the best agency on behalf of a great community to decide in the last resort who are the persons who shall sit in this House, and therefore indirectly what shall be the policy which the British House of Commons is to pursue. It is not a question of sentiment, of rewarding, or punishing, or elevating, but a practical matter of business and statecraft, with the view to rendering our form of Government as good as possible. It is said, however, that those who are deprived of the franchise are slaves and degraded. Now, on this point I should like to read to the House a few words which appear to me to be extremely apposite—

> "Many persons do not inquire if a State be well administered if the laws protect property and persons, if the people are happy. What they require, without giving attention to anything else, is political liberty—that is, the most equal distribution of political power. Wherever they do not see the form of Government to which they are attached, they see nothing but slavery, and if these pretended slaves are well satisfied with their condition, if they do not desire to change it, they despise and insult them. In their fanaticism they are always ready to stake all the happiness of a nation upon a civil war for the sake of transferring power into the hands of those whom an invincible ignorance will not permit to use it except for their own destruction."

Where do those words occur? In the *Principles of Morals and Legislation* of Jeremy Bentham, the advocate of universal suffrage. They seem to me to answer the question, whether in all countries the happiness of the people at large is not the end which ought to be sought in the establishment of a government; and that end being as far as possible secured, whether we ought to overthrow the fabric by which it has been accomplished on the grounds of sentiment or *à priori* right? I therefore take the liberty of putting aside the sentimental argument, simply observing that the single question is of good government, and not whether by making some change which does not tend to good government we may do some collateral good to the working or any other class. We should do one thing at a time, and think ourselves very lucky if we do that one thing well. We often hear persons speak of killing two birds with one stone, but I apprehend that the man who tries to do so would be more likely to miss both than to kill either.

There is an another argument — the fatalistic argument—which has been put forward by the hon. Member for Huddersfield, who has unintentionally, I am sure, done me a great service, for I have constructed for myself a sort of chart or scale of fallacies used on this subject, and he has had the goodness in a single speech to illustrate every one of them. "You must have it out," the hon. Gentleman says, felicitously comparing the constitution of this country to an unsound tooth; "sooner or later you will have to give way" —using a line of argument which is at once the foundation and the blemish of the great work of De Tocqueville. M. de Tocqueville assumed that democracy was inevitable, and that the question to be considered was not whether it was good or evil in itself, but how we could best adapt ourselves to it. This is *ignava ratio*, the coward's argument, by which I hope this House will not be influenced. If this democracy be a good thing, let us clasp it to our bosoms; if not, there is, I am sure, spirit and feeling enough in this country to prevent us from allowing ourselves to be overawed by any vague presage of this kind, in the belief that the matter has been already decided upon by the fates and destinies in some dark tribunal in which they sit together to regulate the future of nations. The destiny of every Englishman is in his own heart, the destiny of England is in the great heart of England, and to that, and not to dreams and omens, I look as the arbiter of her fate.

I come next to the argument of necessity. We are told that the working classes are thundering at our gates, and that we shall be in the greatest danger if we do not accede to their demands. But when, in answer to this argument, it is suggested that they are not at our gates, and that they are making no noise, the reply is, "Oh, wait awhile and see what they will do." Now I, for one, am disposed to take that advice and to wait awhile. If this which we are asked for be a good thing in itself to concede, let us grant it without any compulsion; but if it be bad, let us not be driven from our sense of manliness and duty to our country by any fear as to what may happen if we refuse it. I am inclined to think that democracy in the present state of things would be a great misfortune. If driven to it, we must, of course, submit, and it may, perhaps, be better to do so than to give rise to a great internal commotion or civil war; but it will take a very severe compulsion to induce me to counsel suicide. The advice to yield at once lest a worse thing befall us reminds me of the lines—

> "He thought with a smile upon England the while,
> And the trick that her statesmen had taught her,
> Of saving herself from the storm above
> By putting her head under water."

I have now gone through a series of arguments to which, in my opinion, the House ought not to attach any weight. To what kind of arguments, then, do I think they ought to listen? I will not state them in my own language, but in the language of one, the poetical charm of whose mind and style have, perhaps, a little overclouded his reputation as a political philosopher. I allude to Lord Macaulay, and these are his words—

> "How, then, are we to arrive at just conclusions on a subject so important to the happiness of mankind? Surely by that method which, in every experimental science in which it has been applied, has signally increased the power and knowledge of our species, by observing the present state of the world, by assiduously studying the history of past ages, by sifting the evidence of facts, by carefully combining and contrasting those which are authentic, by generalising with judgment and diffidence, by perpetually bringing the theory which we have constructed to the test of new facts, by correcting or altogether abandoning it, according as those new facts prove it to be partially or fundamentally unsound. Proceeding thus—patiently, diligently, candidly — we may hope to form a system as far inferior in pretension to that which we have been examining and as far superior to it in real utility as the prescriptions of a great physician, varying with every stage of every malady and with the constitution of every patient, to the pill of the advertizing quack which is to cure all human beings, in all climates, of all diseases."

That, I humbly submit, is the way in which you must look at this Question. You must deal with it as practical men, upon grounds and for reasons of which I have scarcely observed a vestige in this debate. What should be the nature of your previous inquiries into the subject I shall now venture to point out. To use the words of one whose name ought never to be mentioned in this House without respect, if not with a warmer feeling—the late Sir G. Lewis—I might say that what we have to do is to find out any practical evil in the working of our institutions, and then to suggest a remedy for it. We ought always to be ready to listen. The inductive method abhors dogmatism, and therefore excludes finality. Its ears are always open to new facts. It recognizes knowledge as perpetually advancing. It rejects no new light. It leaves overweening confidence to *à priori* reasoners, sentimentalists, and fatalists. It is a safe, because a modest guide. No one has, however, in this instance, shown a single practical grievance under which the working classes are suffering which would be remedied by the proposed alteration. Mr. Holyoake, speaking on behalf of those classes, tells us that the Frenchman, who has voted away his own liberty, is far superior to the Englishman, who possesses his liberty, but does not possess the franchise. I think we have a right to ask for even a more tangible grievance from the working classes than the absence of the power to ruin themselves. Having thus shown what kind of arguments we ought and ought not to receive, I think I may confidently assert, in opposition to the Chancellor of the Exchequer, that the *onus probandi*, in this case, rests not with those who deny the existence of the *à priori* right for which he contends, but rather on those who, unable to point out the existence of any practical grievance, call upon us virtually to destroy our present form of Government, and to put something else in its place. It may be said, however, that a practical grievance does exist, and that the interests of the working classes are not consulted by the House of Commons; but in answer to that argument, I would simply refer to the admirable speech of the noble Lord the Member for Haddingtonshire, and remark that hon. Gentlemen frequently bring forward questions which really relate to rich bodies, as if they were connected with the poor, convinced that by such means they will secure for their applications a greater degree of sympathy. I entirely deny that the interests of the poor are neglected in this House. I maintain that legislation is not altogether a matter of good will, as in the small republics of Greece, the study of whose municipal squabbles is the occupation of our boyhood, but of intelligence and study, and that the abstruse problems which it involves cannot be satisfactorily dealt with by men at that time engaged in daily labour. In 1842 the late Mr. Duncombe presented a petition to this House signed by 3,000,000 persons. This petition may, therefore, I think, be looked upon as containing a fair expression of the views of the working classes, whose political views must be toned down to the comprehension of persons, and in it they say—

> "Your petitioners complain that they are enormously taxed to pay the interest of what is called the National Debt, a debt amounting at present to £800,000,000, being only a portion of the enormous amount expended in cruel and expensive wars for the suppression of all liberty by men not authorized by the people, and who, consequently, had no right to tax posterity for the outrages committed by them upon mankind."

There goes the National Debt.

> "Your petitioners deeply deplore the existence of any kind of monopoly in this nation; and while they unequivocally condemn the levying of any tax upon the necessaries of life, and upon those articles principally required by the labouring classes, they are also sensible that the abolition of any one monopoly will never unshackle labour from its misery, until the people possess that power under which all monopoly and oppression must cease. And your petitioners respectfully mention the existing monopolies of the suffrage"—pointing, of course, to universal suffrage—"of paper money"—looking naturally to unlimited issues and greenbacks—"of machinery"—meaning property, because machinery is only one kind of property—"of land"—of course there could be no question about that—"of the public press"—such portion of it as was opposed to their views—"of religion, of the means of travelling and transit, and a host of other evils too numerous to mention, all arising from class legislation."

That was the working men's programme of the steps which Parliament ought to take for the regeneration of the country and the advancement of the class to which they belonged. The middle class Parliament, if I may call it so, did not adopt that programme. It took another course. It struck off the shackles from trade, meeting, while doing so, with every possible opposition from the working classes, who, organized by their leaders, did everything they could to break up the meetings of persons engaged in forwarding this beneficial policy. And it founded a system of education which, though no doubt, imperfect, has been an enormous boon to the working classes. If the working classes had had their way then, instead of the middle class having had theirs, by which course of action would the working classes most have benefited? Would it have been a gain to them to obtain control over the affairs of the country? I do not speak of monopolists like ourselves, who, of course, would have disappeared off the face of the earth, but of the working classes themselves—would they have gained by the attainment of their own wishes?

> "Evertere domos totos optantibus ipsis
> Di faciles."

I venture to think they would not have

gained by it, and that the working classes, instead of being neglected by the existing Parliament, have been better cared for, and according to sounder and more carefully considered principles, than if they themselves had been charged with the administration. These are the reasons that appear to me to show that no satisfactory grounds have been laid which should induce the House to read this Bill a second time. And now I go a little further, and thanking the House for the patience with which they have listened to an abstract and distasteful discussion, I propose to take on myself the burden of showing that the Bill ought not to pass. The first thing that strikes me is that this Bill will give the franchise to very few of the working classes in whose power it is not to obtain it now. And on that point I beg leave to read a passage from the Report of the Factory Commissioners for the present year, which seems to me very interesting and suggestive. One of the Inspectors, Mr. Baker, speaking of a freehold land society that has been eminently prosperous, says—

> "The simple fact of these savings being effected, and of these houses being erected by the will of working men is an immensely significant one. All these owners of houses are freeholders, and every man has earned his own freehold from a desire to possess it. While in the same locality, employed at the same work and the same wages, and without any extraordinary drawback, a vast number of those who possess no such properties, live on from day to day, regardless of every enjoyment which is not sensual, exhibiting no desire for an elevation of character among their fellow men, wasting their money in profitless pursuits, or in degrading pastimes, and being for ever unprepared for the commonest vicissitudes which bring such misery in their train."

I ask the House upon which of the classes here described will the Bill of the hon. Member for Leeds operate? Not upon the provident, but mainly upon the improvident class. For the provident are not only in possession of the franchise—they have soared far above it, and have got into the region of freeholders. It will, therefore, apply to the men who waste their time in these profitless and degrading pursuits, in order that they may be elevated and fished out of the mire in which they delight to grovel, introduced to power, and intrusted with control over the Constitution of the country. Not to take an extreme case, the Chancellor of the Exchequer says that 600 quarts of beer is a fair average consumption for every adult male in the course of the year, and, taking beer at 4*d.* a pot, the consumption of 240 quarts represents an annual outlay of £4. If, therefore, persons who live in £8 houses would only forego 120 quarts annually, they might at once occupy a £10 house, and acquire the franchise. That is the exact measure of the sacrifice which is required on their part to obtain this much coveted right, to raise themselves from the position of slaves, to wipe off from their characters the mark of degradation and all the other horrors that have been so feelingly depicted. That is by no means all. I have no wish to demand from the working man any great amount of rigid self-denial. I am neither an ascetic in theory or practice. But I would point out that there is a certain amount of accommodation, especially of sleeping accommodation, which is absolutely necessary for the preservation of the commonest decency and morality, for the avoidance of the most frightful impurities and even crimes. The amount which it is necessary to expend in rent for these purposes, and the preservation of the health of the poor man, and his family will, with a very slight addition, infallibly obtain for him the franchise. And the question for you now to determine is whether you ought to bring down the franchise to the level of those persons who have no such sense of decency or morality, and of what is due to the health of themselves and their children—whether you will degrade the franchise into the dirt, and imperil your institutions—or whether you will make this franchise a vast instrument of good, a lever by which you may hope to elevate the working classes—not in the manner which a mawkish sentimentality contemplates, but by fixing the franchise at a reasonable level, requiring a little, and only a little, effort and self-denial on their part, a little security that they are able to conduct their own affairs before we intrust them with ours.

Another objection which I have to the Bill refers to its swamping aspect. I have made an analysis of the figures presented to us in 1860—for we have no later—and I find that the effect of this Bill, which is described as harmless and innocent, would be in five large towns to treble, and in twenty-eight large towns to double, the constituencies. Now I ask hon. Members when the present constituency is doubled or trebled by an Act of this House, what becomes of the present constituency? *Quid superest de corporibus?* You might as well abolish it altogether. Not only is it increased, it is diluted, and the additions being all of persons rated below £10, these have a sort of chemical affinity with persons of the same class a little above themselves, and the two united become masters of the situation. In these cases, therefore, the present constituency, including all the property and all the intelligence of the place, would be disfranchised without a prospect of escape; and this I venture to think would be a very great evil. The noble Lord the Member for Haddingtonshire has truly said that many people want something in the way of change; but that something is anything in the world but what this Bill proposes. They want universal suffrage they want an educational franchise; they want a provident franchise; but nobody wants a £6 franchise. I know not whether that was the intention, but it seemed to me that the speeches in support of the Bill, especially the speech of the hon. Member for Huddersfield, go direct to universal suffrage. Can you believe that this thing, which nobody wants, will be accepted as anything but a step to universal suffrage, or that it is likely to form in any way a permanent settlement of the question? It is assumed by every speaker in favour of the Bill that when it passes the matter will be settled for ever, and that we shall be freed from these terrible visions of pressure from without which are always conjured up and brought in aid of the argument. But is that so? If you cannot maintain a £10 franchise, how can you hope to make a stand at £6? Look at the *prestige* surrounding this £10 franchise, created when the country was in the highest state of discontent. I can remember the time myself when the House of Commons was regarded not as representing the wishes and forwarding the views of the bulk of the English people, but as the greatest obstacle in the way of carrying out improvements which were desired by them. And that was not merely the opinion of the working classes; it was an opinion shared to a great extent by the education and property of the country, and but for which conviction the Reform Bill never would have passed into law. Let me ask, have not the results fulfilled and exceeded the expectations of the most sanguine prophet of that time? Look at the noble work, the heroic work, which the House of Commons has performed within these thirty-five years. It has gone through and revised every institution of the country; it has scanned our trade, our colonies, our laws, and our municipal institutions; everything that was complained of, everything that had grown distasteful, has been touched with success and moderation by the amending hand. And to such a point have these amendments been carried that when Gentlemen come to argue this question and do all in their power to get up a practical grievance they fail in suggesting even one. The £10 franchise, if not the most venerable, is at any rate one of the most respectable institutions that any country ever possessed. The seven Houses of Commons that have sat since the Reform Bill have performed exploits unrivalled, not merely in the six centuries during which Parliament has existed, but in the whole history of representative Assemblies. With all this continued peace, contentment, happiness, and prosperity, if the £10 franchise cannot maintain itself against such speeches as we have heard to-day, what chance have we of maintaining any other franchise whatever? It is simply ridiculous to suppose that we can do so. The thing is fated from the moment that the House, abandoning a position which should never be yielded while hope remains, consents to take up another not one-hundredth part as strong, on the road to universal suffrage. It is trifling with the House to suggest that when you have passed this Bill you have settled anything; all that you do is to unsettle everything, perhaps to lay the foundation of a real agitation, because people, when they find that so much can be gained with such little trouble, will be encouraged to ask for a good deal more. Two answers have been suggested to this view. It is said that the working classes will not act together. Assertions are very cheap on such subjects, but look at the probabilities. If you have a large infusion of voters from the working classes, they will speedily become the most numerous class in every constituency. They, therefore, have in their hands the power, if they only know how to use it, of becoming masters of the situation, all the other classes being, of necessity, powerless in their hands. Is it possible to suppose that in the present state of society, with the widely-conducted operations of the press, and public discussions on every subject, the working classes can long remain in ignorance of their power? You cannot treat them like pigs or cattle, or like Curran's fleas, "which if they had been unanimous, would have pulled him out of bed." You know very well that they will soon possess the secret of their own power, and then what is to prevent them from using it? What are the restraints that you propose? I know that very pretty metaphors have been given us; we were told, for instance, that society is divided into vertical, intead of horizontal strata, but, nevertheless, when men have power conferred on them, infallibly they will employ it for their own purposes. Are we without information to guide us in the matter? Have we not examples before our eyes? Look at Australia. There universal suffrage was conceded suddenly, and the working classes immediately availing themselves of it, became masters of the situation. Nobody else has a shadow of power. Does anybody doubt that in America the working classes are the masters? Why, there is the greatest apathy among the upper classes, because, though not actually disfranchised, we know that virtually they are so by reason of the supremacy of numbers that weighs them down. And why should it be otherwise in England? It appears to me that nothing can be more manifest, looking to the peculiar nature of the working classes, than in passing a Bill such as is now proposed you take away the principal power from property and intellect, and give it to the multitude who live on weekly wages.

I am sure the House will agree with me that it is an observation, true of human nature as of other things, that aggregation and crystallization are strong just in proportion as the molecules are minute. It is the consciousness of individual weakness that makes persons aggregate together, and nowhere is that impulse so strong as in the lowest classes of society. Nothing is so remarkable among the working classes of England as their intense tendency to associate and organize themselves. They have done so for the purpose of establishing benefit clubs, and to make provision for sickness and old age. These associations once existing for praiseworthy objects, one might suppose that they would end there. But no. Once having established the principle of association, this has been used for very different purposes. The working classes select leaders — by no means the best or wisest among them— and to those men they submit with a docility which would be admirable were it not perpetuated and enforced by the reign of terror kept up among and by themselves. I shall not refer to the subject of strikes; but it is, I contend, impossible to believe that the same machinery which is at present brought into play in connection with strikes would not be applied by the working classes to political purposes. Once give the men votes, and the machinery is ready to launch those votes in one compact mass upon the institutions and property of this country. It is so in America. The wire-pullers and log-rollers there correspond exactly to the leaders whom the working classes follow in the matter of strikes at home. These leaders may be, probably are, men little known; apparently very retiring and insignificant, but nevertheless they wield the masses with the greatest ease. The elector, perhaps, does not know the name of the candidate for whom his vote is to be recorded. Papers for the election of every one, from a Governor down to a constable and up again to a member of Congress, are handed to him in a bundle, tied round with a dirty piece of string, and the elector votes in the sense required—I have often seen it done—because his Mr. Potter or his Mr. Odgers desires him to do so. It is said, "Oh, but though we are to have an increase of democratic power, we shall also have safeguards," and Mr. Mill and Lord Grey, the philosopher and the statesman, have busied themselves in inventing these safeguards. I can fancy no employment more worthy of the philosopher and statesman than the invention of safeguards against democracy, but I can fancy no employment less worthy of either statesman or philosopher than counselling us to give a loose rein to democracy in order that we may see whether we cannot get back what we have given in another way. It may be very wise to throw £100 out of the window to a mob, it may be very right to give largese in that manner; but it is the height of folly to throw out the £100 in the hope and expectation that the mob will bring it back again to you in detail sovereign by sovereign. Besides, consider how this is trifling with a great question. If we make these concessions to the spirit of democracy, if we give facilities for getting rid of some of those monopolies to which I referred just now, are the gentlemen who lead the Democratic party, are the persons who make up the mass of that party, so silly as to allow themselves to be tricked out of the fruits of their victory by a few transparent dodges, so clear that they would not deceive a child? The question is, are we making such concessions as are required to meet any practical grievance? That we ought to do and no more; if we make more in the hope of getting them back again we shall be allowing the fish to run away with the line, which we shall never be able to wind up again. I think I have shown the House that it is neither wise nor safe to rely on the measure before us.

The only practical mode of dealing with this question, in a manner worthy at once the dignity of this House and the character of the English people, is to guide our course by the light of experience, gained from what has been done in former times—above all, in our own country, the great nurse of freedom and of the happiness of the whole human family. I have shown you that the Bill of the hon. Member for Leeds, while it satisfies nobody, will cast us loose from our only safe moorings in the £10 franchise, and set us adrift on the ocean of democracy without chart or compass; and I think I have also shown you that, as it is ridiculous to expect the working classes, once in possession of absolute power, would refrain from using that power, the British Constitution ought never to exist upon sufferance. I am not going to inflict on the House an essay on the British Constitution, but this I will say—that it is the most complicated probably that the world ever saw. The number and variety of interests, and the manner in which these are entwined with each other, serve to make up a most curious piece of mechanism, but, in practice, well confirm the precept which Aristotle laid down 2,000 years ago in the words, "Happy and well governed those States where the middle part is strong and the extremes weak." That description well embodies the leading merit of our Constitution. Are we prepared to do away with a system of such tried and tested efficiency as no other country was ever happy enough to possess since the world was a world, and to substitute for it a form of Government of extreme simplicity, whose tendencies and peculiarities have been as carefully noted and recorded as those of any animal or vegetable, with whose real nature we have no excuse for not being well acquainted — pure democracy? I am no proscriber of democracy. In America it answers its purpose very well; in States like those of Greece it may have been desirable; but for England, in its present state of development and civilization, to make a step in the direction of democracy appears to me the strangest and wildest proposition that was ever broached by man. The good government which America enjoys under her democracy—whatever estimate hon. Gentlemen may be disposed to form of it—is absolutely unattainable by England under a democracy, and for this reason:—America, in her boundless and fertile lands, has a resource which removes and carries off all the peccant political humours of the body politic. Turbulent demagogues out there become contented cultivators of the land; there are no questions between landlord and tenant; every one can hold land in fee simple if he chooses and transmit to his children. The wealth which America possesses is of a kind which her people did not make, and which they cannot destroy; it is due to the boundless beneficence of the Giver beside whose works those undertaken and executed by the human race sink into insignificance. The valleys even of the Nile, the Tigris, and the Euphrates, seem ridiculously small when compared with the valley of the Mississippi, which it has been calculated would afford residence to 240,000,000 of people without overcrowding. No tumult, no sedition can ever destroy these natural advantages. But what is our property here? It is the fabric of the labour of generations, raised slowly and with infinite toil, and to continue it is indispensable that it should rest on secure foundations. Look at the land question alone. In America nobody covets land, because he can get as much as he likes there for less money than would represent the trouble of kicking anybody else out of his holding. But here the case is different; nothing is easier than to get up a cry about land, and at this moment it is believed all over the Continent that there is actually a law in existence under which the possession of the land of England is confined exclusively to the aristocracy. Our prosperity rests more than anything else in the world upon our credit. What sort of credit should we maintain had we a Government like that of America, where the rate of interest at which their National Debt has been raised is such that they will pay more for a debt of £500,000,000 than we do for a debt of £800,000,000. Once introduce the American system of government here, and the mighty fabric of English prosperity would, I am satisfied, vanish like an exhalation. And now I do solemnly ask the Liberal party to pass in review their own position with regard to this question. They have to make their choice not merely on the fate which shall befall this particular Bill, but with a full knowledge that a general election is to follow. And I ask whether it is to go forth that the party of liberality and progress in this country does or does not for the future cast in its lot and identify its fortunes with that particular form of government called democracy, which has never yet been the Government of this country? It is a momentous issue which we have to try; and nothing but a sense of its enormous importance induces me to do what the House will believe is not a pleasant duty, to make my present speech in the neighbourhood in which I stand. I view this, however, as a question between progress and retrogression. So far from believing that democracy would aid the progress of the State, I am satisfied it would impede it. Its political economy is not that of Adam Smith, and its theories widely differ from those which the intelligent and clear-headed working man would adopt, did his daily avocation give him leisure to instruct himself. It is always introducing an ungrateful subject to make personal references, but perhaps I may be allowed for a moment to quote myself. Gentlemen think it the height of illiberality on my part, and believe that I am abandoning the cause of progress, because on this occasion I refuse to follow their steps. Of course, I was quite prepared for that; but nevertheless I have been a Liberal all my life. I was a Liberal at a time and in places where it was not so easy to make professions of Liberalism as in the present day; I suffered for my Liberal principles, but I did so gladly, because I had confidence in them, and because I never had occasion to recall a single conviction which I had deliberately arrived at. I have had the great happiness to see almost everything done by the decisions of this House that I thought should be carried into effect, and I have full confidence in the progress of society to a degree incalculable to us; my mind is so constituted as to rely much on abstract principles, and I believe that by their application the happiness and prosperity of mankind may be enormously augmented. But for the very reason that I look forward to and hope for this amelioration—because I am a Liberal, and know that by pure and clear intelligence alone can the cause of true progress be promoted, I regard as one of the greatest dangers with which the country can be threatened a proposal to subvert the existing order of things, and to transfer power from the hands of property and intelligence, and to place it in the hands of men whose whole life is necessarily occupied in daily struggles for existence.

I earnestly hope—and it is the object I have in view—that I may have done something to make men think on this question—to pick it out of the slough of despond in which it has wallowed. Sir, I have been weary and sickened at the way in which this question has been dealt with. The way in which the two parties have tossed this question from one to the other reminds me of nothing so much as a young lady and young gentleman playing at battledore and shuttlecock. After tossing the shuttlecock from one to the other a few times, they let it drop and begin to flirt. The great Liberal party may well be presumed to know its own business better than I do. I venture, however, to make this prediction, that if they do unite their fortunes with the fortunes of democracy, as it is proposed they should do in the case of this measure, they will not miss one of two things—if they fail in carrying this measure they will ruin their party, and if they succeed in carrying this measure they will ruin their country.

Mr. BERNAL OSBORNE and The LORD ADVOCATE rose together; but the House appearing to desire to hear the former hon. Member,

MR. BERNAL OSBORNE proceeded, and said: Mr. Speaker, I think it highly natural that, after five hours' debate on a question which was once reckoned great and important, some Member of the Government should rise to answer the great, exhaustive, and philosophical speech that has just been delivered to this House—a speech, than which, however I may differ from its conclusions, I will venture to say, none, even at the time of the great debates on the Reform Bill, was ever surpassed in force or energy by any gentleman opposed to reform of any kind. I could have wished that our great leader—I am speaking of the Chancellor of the Exchequer—would have risen, for he is probably the only man in the House who is equal to the work of answering such a speech—I say I could have wished that at its close he had sprung to his feet instead of putting the *onus probandi* on a Scotch official—for, unfortunately, in this debate the Liberal party have had little reason to regard the sons of Scotland either with hope or affection. My noble Friend the Member for Haddingtonshire (Lord Elcho) opened the opposition to this Bill with a speech which, although he merely moved the Pevious Question, was a speech directly against the Previous Question, and which, if it were worth anything at all, would justify the House in reading this Reform Bill—now, for the first time, called a revolutionary measure —a second time this day six months. The noble Lord was followed by another Scotch Reformer, an advanced Liberal of old days, and he fairly told the House that this was a revolutionary measure for which he could not vote. I say we have thus little to hope for from that great country of Scotland; and I should be sorry to interfere between the House and the learned Lord who represents the interests of Scotland on the Treasury Bench, because it is due to some Scotchman in an official position to let us know that he, at least, of Her Majesty's Government, is not of that opinion, that he still clings to the early love of his youth, and is not afraid of being charged with entertaining revolutionary sentiments. But, Sir, this question of Reform has been treated, not only by the Treasury Bench, but by the House at large, in an insincere spirit. All have pretended to be Reformers when it suited their purpose. While this Parliament was young and able we coquetted with a measure which we had no intention of passing into law. But now that Parliament is worn out and dying, we, as political invalids, come forward and seek to be canonized as reforming saints, when we know that we shall repeat the old game over again as elected convalescents, and shall discover that although the question of Reform is well suited as a cry for the hustings it is not adapted to the meridian of this House. Can we wonder that there is apathy without, when we see the way in which this question is treated by the representatives of the people? You have all heard the speech just delivered by the right hon. Gentleman the Member for Calne—a speech which, if it proved anything at all, was launched against all change. I was the more surprised at a speech from that direction—the more surprised at the civil war that has broken out on this side the House, and which has been so artfully promoted by the silence of Gentlemen on the other side—I was, I say, the more surprised at the right hon. Gentleman's speech, because I could not help calling to mind that he sat in two Reform Administrations, and that he was present on one occasion and heard the following Amendment put from the Chair, and which hurled those Gentlemen opposite into outer darkness. At that time we declared—

> "That no re-adjustment of the franchise will satisfy this House or the country which does not provide for a greater extension of the suffrage in cities and boroughs than is contemplated in the present measure."

This, Sir, was the Amendment which we, the ardent and advanced Liberals—and the right hon. Gentleman the Member for Calne was one of the devoted band—passed in 1859, but which it is now discovered was not only abhorrent and destructive of all property, but revolutionary and likely to overthrow the National Debt, the landed aristocracy, and the Crown itself. I cannot help for a moment affecting to impugn the motives and conduct of my hon. Friend the Member for Leeds (Mr. Baines), although no one could have heard him and come to the conclusion that he entertains revolutionary sentiments. At any rate, a more quiet revolutionist has never existed. I cannot help remarking upon the different aspect which this question has presented to our notice on former occasions. Who does not recollect that this revolutionary measure has been urged upon our notice by four successive Speeches from the Throne—that five Administrations have advocated this measure which is to upset the kingdom? The question has now rather fallen from its high estate. It may be said to be in the position described by the poet—

> "Deserted in its utmost need
> By those its former bounty fed,"

and has become so shrunk and withered in its proportions that it is reserved for an hon. and independent Member at a morning sitting to present a stump as it were—a fragmentary stump—of the Bill, the whole Bill, and nothing but the Bill, to contemplative Reformers on the eve of an expiring Parliament. Something has been said by my noble Friend (Lord Elcho) about advanced Liberals throwing discredit on the Constitution. Now, I think that there is no more certain way of doing this than by both sides agreeing to play at battledore and shuttlecock with this question, as the right hon. Gentleman has just said. We have affirmed the justice of the claim for an extension of the franchise; and yet, when the moment arrives for satisfying those just demands, we declare that we have no intention of conceding them because the claimants do not knock loudly at our door. That is my idea of throwing discredit on representative institutions. Why, Sir, what do we owe our seats to? What were we sent here for but to vote for an amendment and extension of the franchise? What are the special grounds on which the present Government hold office? Why, the amendment of the franchise. What has become of the compact entered into at the Dancing Academy at Willis' Rooms five years ago? I had not the honour of being at that meeting because I was out of Parliament at that time, but I remember hearing of the Reformers holding that meeting at Willis' Rooms, and waving their hats and rushing about filled with enthusiasm at the idea that a Reform Bill was to be brought forward by Lord Palmerston as the head of the Liberals of England. What has become of that Reform Bill? We have many Reformers in the Cabinet. We have aristocratic Reformers in another place. The noble Lord the great progenitor of this measure sits in another place; and on the Woolsack is a noble Lord who when a Member of this House made the strongest speech in favour of the Ballot and Reform that I ever heard, but who has been silent on these subjects ever since. My right hon. Friend the Member for Ashton-under-Lyne (Mr. Milner Gibson) is a Member of that Cabinet. He is a tried Reformer, who goes much further indeed than my hon. Friend the Member for Leeds, and yet he now comes under the revolutionary category so forcibly depicted by the right hon. Member for Calne. Then there is my right hon. Friend the President of the Poor Law Board (Mr. Villiers). What has become of him? He confines his attention solely to the suffering poor, and he never thinks of the suffering working classes. ["Oh!"] *Non meus hic sermo.* But all this was when the Liberal party was in opposition, and before the hon. Gentlemen opposite had taken their seats on those Benches. I want to know what has become of the Government Reform Bill? There can be nothing so disheartening—nothing so calculated to open the eyes of the public out of doors, as the treatment which this question is receiving at the hands of the Government and in this House at the present time. We declared, when we passed that Amendment in 1859, that neither this House nor the country would, or ought to, be satisfied without an extension of the franchise. We know, however, that the House is not very much dissatisfied, and that a Reforming Ministry are quite resigned to the present position and situation of the question. The conduct of the House and of my right hon. Friend—who, if he did run away on one occasion, was, as I am in a position to know, excessively unwell at that time—our conduct, I say, on this question of Reform reminds me of those professional mourners at an Irish funeral who, while they are groaning and bemoaning the dead, have a very keen eye to the good-will of the incoming tenant. We have all a keen eye to the incoming Parliament, and I agree with my hon. Friend the Member for Leeds that there cannot possibly be a better time for "waking" the corpse of Reform than the eve of an expiring Parliament, when the Liberal party are rather hard up for a cry. This, however, is not a question with which the House can trifle with impunity. We cannot take it up and lay it down without subjecting ourselves to the charge of shuffling and insincerity. My right hon. Friend the Member for Calne says that no one has brought forward any blots in the Constitution. Let us test that assertion. He is well satisfied with things as they are, and probably he has reason to be satisfied. But I will give a few instances of the anomalies that exist in regard to the distribution of the franchise. In Aberdeen there are 3,586 registered electors who send one Member, while Honiton, with 269 electors, sends two Members to this House. Does the right hon. Gentleman think that a satisfactory state of things? Lambeth contains 25,000 registered electors. ["Question!"] I hear the Member for Marlborough (Mr. H. B. Baring) calling question! Marlborough has 256 electors, and also returns two Members. Then there is Calne. Calne has 173 registered electors, including six freemen, and it sends one Member to this House, the same as Salford, which has 5,100 electors. Let us now take the smallest borough—Portarlington. ["Question!"] Can it be said that Portarlington, with 99 registered electors, has a claim to one Member, while the Tower Hamlets, with 31,000 electors, only sends two representatives? ["Question!"] This is the Question. Why, one vote in Portarlington is equal to 290 votes in the Tower Hamlets. Gentlemen opposite appear to be satisfied with that; but do they suppose the country is satisfied? Will the country be satisfied to read the speech of the right hon. Gentleman declaring this Bill to be revolutionary, and God knows what, and at the same time to see these shocking anomalies? I think that the right hon. Gentleman might have reflected that the Bill of 1832 was a Bill that effected a transfer of power entirely to one particular class; it took away the power from the upper class to give it to the middle class; and he might have remembered that the working class on that occasion submitted to be deprived of an extended franchise in many towns, and gave their unflinching aid and co-operation in advancing the political power of the middle classes. I think, then, it would be a little hard of the middle classes to come forward now and, not openly, but covertly, to deny the extension of the franchise to the working classes. How many Bills have we had during the last fourteen years? We have had five Bills in this House. Look at the measure of 1852. That proposed a £5 rating. Look at the way in which we treated the Bill of the right hon. Gentleman the Member for Buckinghamshire. That might have been made a most excellent Bill. It gave a savings bank franchise, and diminished the expense of elections for counties. But what is our dog-in-the-manger policy? We will neither allow Gentlemen opposite to bring in a Reform Bill nor bring in a Reform Bill ourselves. Therefore, although I think the time for bringing in this measure is most inopportune, still no one who has ever given a vote for Reform can help giving his support to this fragmentary measure. I am aware that it is impossible for an independent Member to pass a measure of this kind, but still, until we get a Minister who will risk the continuance of his power in passing a Reform Bill, we must take what we can get and support a measure of Reform, however fragmentary and however incomplete.

MR. GREGORY moved the adjournment of the debate. [*Cries of* "No, no!" "Go on!"]

MR. AYRTON desired to observe that the debate must be adjourned, because the House had not heard the sentiments of the Government, and it was quite evident that a quarter of an hour (it was now half past five o'clock) would not suffice, as several Members of the Ministry might wish to speak on this question.

MR. W. E. FORSTER said, he quite agreed with his hon. Friend. The House could hardly do otherwise than adjourn the debate, and the Government could hardly do otherwise than to give every facility for its renewal. He thought that the question of Reform was not only involved in the measure before the House, but also the conduct of the Government as to the past, and the conduct of the Government as to the future. Up to the present time the House was left in utter darkness as to the future conduct of the Government in respect to this question. Reform was a Government question, yet no Member of the Cabinet had as yet attempted to speak upon this subject. He was sure that the Members of the Cabinet would see the necessity of not allowing the debate to rest without expressing their opinion upon the measure before them, and in giving every facility for the renewal of this discussion.

SIR GEORGE GREY: A Member of the Government, though not a Member of the Cabinet, did rise ["Oh, oh!"]; but seeing the indisposition of the House to listen to him, I advised my hon. and learned Friend not to throw away his speech by attempting to force it on a reluctant House. ["Oh, oh!"] I am aware that several Members wish to address the House, and at the hour we have arrived at there is no alternative but to adjourn the debate. As to the day on which the debate should be resumed, if my hon. Friend the Mover of the Question will consent to name Friday I think it may be resumed on that day. ["No, no!"] But, in the absence of my noble Friend at the head of the Government, I can give no pledge with regard to the time. ["Oh, oh!"]

MR. DISRAELI: Sir, I think that the House, under the circumstances, has a right to require from Her Majesty's Government that they should give an early day for the renewal of this debate; and I am of that opinion for two reasons. In the first place, it is impossible for us to forget the circumstances connected with this question under which the present Government was formed. In the second place, I hold that it is the duty of the leader of this House to give the House an opportunity of continuing such a debate. Sir, the leader of the House is the trustee of the honour and interests of the House. He does not sit in his place for the mere purpose of transacting the business of the Government. He is, I repeat, the trustee of the interests and honour of the House; and I say it will not be creditable to the House if this debate so ably commenced and conducted, and in which it is evident from the appearance of the Benches so great an interest is felt, should be allowed to drop without the prospect of a continuance of it at the earliest possible date. I trust, Sir, that the right hon. Baronet will take immediate steps to secure the renewal of this debate, so that we may be favoured with the distinct opinions of Her Majesty's Government upon this question. And I will say, with all respect to the learned Lord Advocate, who rose to address the House—with all respect to his station, character, and abilities, I do not think, under the peculiar circumstances of the case, that he was a competent and proper representative of the Government upon this question. Sir, I think it most undesirable to all parties concerned that a debate of this kind should be allowed to terminate without a clear expression of opinion on the part of Her Majesty's Government. Sir, I cannot but remember, that only very recently, upon a question avowedly of not much less importance — upon another question of great constitutional importance — the House was left, so far as Her Majesty's Government was concerned, in a very unsatisfactory state. I allude to the debate upon the Irish Church. To-day we have not been favoured with the opinion of any Member of the Cabinet upon the question before us. On the other occasion to which I have referred we were certainly more fortunate. Two Members of the Cabinet did address the House upon the question of the Irish Church, but they expressed opinions utterly at variance with each other. According to my view it is for the honour of this House and the interest of the existing Government, of whatever materials it may be formed, that some decision should be arrived at, and that the country should be put in possession distinctly of what are the opinions of the Government upon questions of Imperial policy. Had the debate upon the Irish Church been continued as it ought to have been continued we should probably have been favoured with the expression of opinion of other Members of Her Majesty's Government, and have had fresh light thrown upon the subject. But to-day, after a debate upon an important public question—a debate conducted with great ability, and in respect of which a large amount of interest is excited, as is evident from the number of Members that are in attendance—it would be most unsatisfactory, disappointing to the country, and discreditable to this Assembly, if some definite arrangement be not made for the immediate resumption of this debate and the bringing it to a conclusion. I trust, then, that Her Majesty's Government will confer with each other on the Treasury Bench, and that they will be enabled to assure the House, by the mouth of the right hon. Baronet opposite, that some arrangement will be made satisfactory to the House, and in compliance with what appears to be the universal feeling on both sides.

MR. BAINES: I beg to say that I understand that Friday is an evening on which this debate might be resumed. [*Cries of* "No, no!" "To-morrow!"] I think we have a right to ask the Government to help us to fix a day. It is quite evident it is the wish of the House to continue the debate. ["Hear!"]

SIR GEORGE GREY: I spoke of Friday, because there is every prospect that the Motion which stands previous to Supply will occupy but a short time; and I told my hon. Friend if that were the case the Government would be willing to put this Question second. They could not put it first, because, according to the Standing Orders, Supply must stand first. ["To-morrow, to-morrow!"] The Government cannot give to-morrow, because that day has been fixed for the Resolutions on the Budget, and the public interest would suffer if they were postponed, therefore Friday is the earliest day. ["Monday!"] We shall now put it for Friday—["Monday!"]—and if we shall be unable on Friday to bring it on at an early hour, I shall communicate with my noble Friend at the head of the Government with a view to make arrangements for bringing it on as early as possible.

LORD ROBERT CECIL: I beg to move that the debate be adjourned to Monday.

MR. DISRAELI: Sir, I think that this question ought not to be left in this undecided state. The House has a right to know on what day precisely the debate will be resumed. It certainly ought not to be left contingent upon the disposal at an early hour of desultory discussions and Motions that may or may not be brought forward. It appears to me that the best thing to do under present circumstances is to decide that the debate be adjourned to Monday, when it shall be positively resumed, and, if necessary, that it shall be continued *de die in diem.*

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Gregory.*)

Question put, and *agreed to.*

MR. GREGORY said, it was impossible that the debate could come on on Friday, as he himself had a Motion fixed for that evening which he was determined to proceed with. It was, therefore, impossible that he could enter upon the subject matter of his Motion and to continue this debate at the same time.

Motion made, and Question proposed, "That the Debate be adjourned till Monday next."—(*Mr. Gregory.*)

MR. E. P. BOUVERIE reminded the House that there was a Standing Order under which the Government had the arrangement of all the Orders for every day except Wednesday. If this debate be fixed for Monday it would be placed at the end of all the other Orders, and, therefore, could not come on until at a very late hour. If the right hon. Baronet would consult with the noble Viscount the leader of the House no doubt some more convenient arrangement would be effected. Let the adjourned debate then be fixed for Friday, and if it could not then be resumed they could fix another day on which it could be taken without fail. ["No, no!"]

MR. DISRAELI: What the House can do is to come to an agreement that this question shall be taken on Monday; unquestionably the Government can arrange the business of the House as they think fit, but it does not follow that an Order of the Day, placed last upon the paper, must necessarily be delayed until all the previous Orders are disposed of. The right hon. Baronet will probably be enabled to-morrow to say whether the adjourned debate can be brought on first on Monday or at some other convenient time.

MR. ROEBUCK: Let the House determine and let the Government give notice to rescind the Standing Order on Monday, in order that this question may have precedence. They frequently do this in respect of matters of special interest to themselves—why should they not take the same course as respects the adjourned debate?

SIR GEORGE GREY: The Government have no intention whatever to avail themselves of their right under the Standing Order, in order to prevent the resumption of this debate. If my hon. Friend will name Friday for the resumption of the debate, and our expectations in respect to its coming on are disappointed, the Government will take care to give the earliest day possible for the purpose.

MR. BAINES: I think after the assurance given on the part of the Government, I ought to adhere to Friday. ["No, no!"]

THE CHANCELLOR OF THE EXCHEQUER: It is well that we should understand the position we occupy. The financial Resolutions stand for to-morrow, and we have no reason to suppose that there will be any opposition, or that the discussion upon them will occupy any very great length of time; still we are entirely in the hands of the House, and notice has already been given of one Motion relating to those Resolutions. Now, suppose we do not get those financial Resolutions through to-morrow night, I am by no means prepared to say it would be our duty to surrender Monday for the disposal of this question. ["Monday!" "Friday!"]

And, it being a quarter of an hour before Six of the clock, Debate *adjourned* till *To-morrow.*

DRAINAGE AND IMPROVEMENT OF LAND (IRELAND) ACTS AMENDMENT BILL.

On Motion of Mr. PEEL, Bill to amend the Drainage and Improvement of Land (Ireland) Acts, and to afford further facilities for the purposes thereof, *ordered* to be brought in by Mr. PEEL and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented,* and read 1°. [Bill 125.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, May 4, 1865.

MINUTES.]—PUBLIC BILLS—*First Reading*—Lancaster Court of Chancery* (78); Oxford University (Vinerian Foundation)* (79); Sewage Utilization* (80); Marriages (Lambourne)* (83).

Second Reading—Record of Title (Ireland) (63); Sheep and Cattle (58); Married Women's Property (Ireland) (53); Land Drainage Supplemental* (74); Local Government Supplemental* (72); Local Government Supplemental (No. 2)* (73).

Select Committee—On Public Schools (32), *nominated.*

Report — County Courts Equitable Jurisdiction * (81) [H.L.]

Committee — Common Law Courts (Fees) * (25); Inclosure * (64); Herring Fisheries (Scotland)* (48).

Report—County Courts Equitable Jurisdiction * (82) [H.L.]; Common Law Courts (Fees) * (25); Inclosure * (64); Herring Fisheries (Scotland * (48).

Third Reading — Metropolitan Main Drainage Extension * (40), and *passed.*

UNITED STATES OF AMERICA.—ASSASSINATION OF PRESIDENT LINCOLN.

HER MAJESTY'S ANSWER TO THE ADDRESS.

The QUEEN's Answer to the Address of Monday last *reported* by the Lord Chamberlain as follows:—

"I entirely participate in the sentiments which you have expressed in your address to me on the subject of the assassination of the President of the United States, and I have given directions to my Minister at Washington to make known to the Government of that country the feelings which you entertain in common with myself and my whole people with regard to that deplorable event."

UNITED STATES OF AMERICA.—ASSASSINATION OF PRESIDENT LINCOLN.

DEBATE ON THE ADDRESS. EXPLANATION.

LORD RAVENSWORTH said, he desired to ask the noble Earl (the Earl of Derby) a question relative to the expression which fell from the noble Earl on Monday night, when the House had under its consideration the Address to Her Majesty with reference to the assassination of President Lincoln—a most melancholy event which had thrown the whole world into consternation. The noble Earl was reported to have said—and, in fact, did say—that if the Confederates were in any way connected with or appeared to have justified directly or indirectly the commission of that dreadful act, they would have committed that which was worse than a crime—they would have committed a blunder. As that sentence had been misinterpreted, he wished to state his impression of its true meaning, and to ask the noble Earl whether or not he attributed to it its right meaning. The expression was first made use of, he believed, by M. de Talleyrand on the occasion of the fearful murder of the Duc d'Enghien by the First Consul of France—thereby meaning that, not that a blunder was worse, in a moral sense, than a crime, but that a person occupying the position of the First Consul in committing a grave political blunder had done that which was fraught with graver consequences than a crime. He attributed to the expression used by the noble Earl precisely the same interpretation he had put on the phrase used by Talleyrand. He understood his noble Friend to intend to convey that the sanctioning of such an Act by persons standing in the position of the Confederate Government, or the Confederate States, would be a grave political blunder, fraught with more serious consequences than even the commission of that crime by other hands. That was the construction he put upon the expression, and which he believed to be the true one; and therefore he took that opportunity of asking the noble Earl whether or not that was the correct one. The reason why he ventured to ask the question was that in his experience he had seen instances in which expressions had been attributed to political persons which they never used in the sense ascribed to them. It was imputed to the Duke of Wellington that he said county meetings were a farce, a phrase which he never used, although it had been frequently asserted against him. In the same way it was imputed to Lord Lyndhurst that he said the Irish people were "aliens in blood, aliens in religion, and aliens in race" to this country, but Lord Lyndhurst never said it in the sense in which it was imputed to him. He therefore thought it better that any expression exposed to misinterpretation should be made clear at once, rather than left to interpretation at a future day.

THE EARL OF DERBY: My Lords, I cannot think that any Member of your Lordships' House could have entertained the slightest doubt as to the sense in which I used the words referred to, and upon which the noble Lord has put the right construction. What I did say was that if the Confederate authorities—which I do not believe from their former conduct and character possible—had given their sanction or approval to the act, they would have been guilty not only of a crime, but using the well-known political aphorism of Talleyrand, they would have committed worse than a crime—a blunder. They would not only have sanctioned that which is highly immoral in itself, but it would also be sanctioning that which could do nothing but add most serious injury to their political position. It was only in that sense that I used the words referred to, and I cannot understand how any one could have put a different construction upon it.

RECORD OF TITLE (IRELAND) BILL.

(No. 63.) SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR, in moving the second reading of this Bill, said, that no measure had conferred greater benefit on the proprietors of land in Ireland than the Act of 1848, commonly called the Incumbered Estates Court Act. Under it immense sales of incumbered land had taken place—to the amount, it was computed, of £23,000,000. But the Act had this defect, that after the incumbered land was sold and a Parliamentary title given, the function of the Act ceased, and there was no provision for preventing the title to land becoming again involved in complications and embarrassments, similar to those from which it had just been cleared, arising out of subsequent transactions. This defect was pointed out by the Commission of 1857, in whose Report it was stated—

> "Great as are the benefits which the Incumbered Estates Court has conferred upon titles in Ireland, it is a remarkable circumstance that there is no provision for perpetuating and continuing as to future transactions the Parliamentary title obtained upon a purchase from that Court. The title is unimpeachable as to all transactions prior to the time of purchase, but immediately after the purchase the transfer of the land becomes subject to the general law; and as to all transactions taking place after the purchase, the title is liable to become again involved in complications and embarrassments similar to those from which it was relieved by the sale under the Incumbered Estates Act. Permanent simplification of title and simplicity of transfer are not attained by the Act, and retrospective investigation of the title becomes again necessary. . . . The system, therefore, which we have recommended is required not less for Ireland than for this portion of the United Kingdom, while at the same time the facilities for its introduction there are much greater than in this country.

Unfortunately, in 1858, when the present Landed Estates Court was established, though many improvements were introduced, yet the particular improvement referred to was not allowed to find place, and there was no machinery by which the title and subsequent transactions might be recorded and kept in a simple state. The difficulty in this respect was removed in respect to England by the Act he (the Lord Chancellor) introduced in 1862, and the object of the present Bill was to adapt to Ireland the machinery and regulations of that Act so far as they related to the record of title. Before he proceeded to explain the manner in which this was to be done, it would not be unreasonable for him to refer to the operation of the Act of 1862, which, although it met with serious opposition at its introduction, was now working in an advantageous manner, and there was every reason to expect that those who availed themselves of it would become more numerous every year. From the 15th of October, 1862, to the 1st of March, 1864, the date of the last Return to the House of Lords, there were 65 applications. These applications comprised about 5,000 acres of land, consisting largely of very valuable building land, of an estimated value exceeding £1,500,000. From the 1st of March, 1864, to the 30th of April, 1865, the applications had been 216, making together 281. The number of acres comprised in the 216 applications exceeded 25,000, and he had no hesitation in saying that the value very considerably exceeded the value of the 65 cases, making the total value exceed £3,000,000. There was no difficulty in working the measure—one complaint only had been made; but, on inquiry, it was found that the delay was occasioned by the agent and not by the office. Their Lordships were aware that there was an Association in Dublin, presided over by a noble Duke, and entitled the Registration of Title Association. In an address presented to the late Lord Lieutenant of Ireland, that Association stated—

> "We feel that the insecurity, delay, and expense incident to the present system of conveyancing are a hindrance in the transaction of our private affairs, seriously reducing the value of landed property in Ireland, and obstructing the free investment of capital in land and landed securities. We are of opinion that the Landed Estates Court, though affording some alleviation in the case of large estates, fails to provide an effectual remedy for many of the evils complained of. Titles which, at considerable expense and delay, have been cleared of complexities by being passed through that court, are left to be dealt with subsequently under the same system of conveyancing which induced those complexities, and consequently in a short period of time become embarrassed and deteriorated by similar accumulations. We, therefore, think that the Landed Estates Court Act requires to be supplemented by some measure which will enable future dealings with land to be conducted with security, expedition, and economy."

The Court had been conducted with so much wisdom, care, and prudence, that there had been hardly a single mistake in its proceedings. This Bill was simple as compared with the measure of 1862. The proceedings which were contemplated by this Bill commenced as soon as the Landed Estates Court made a conveyance or made a declaration of title. The Bill proceeded to direct that forthwith the title should be entered upon the record, and that every one of the subsequent transactions should be endorsed upon the minute. The Bill extended the powers of the Landed Estates Court so as to enable it to make a conveyance or declaration of title of every description of estate and interest, including partial estates and leaseholds; and their powers would be extended to leases and agreements for leases, but so that the declaration of title should not give any guarantee to the title of the lessor. The Court would gather in every instrument which created any description of interest, and there was machinery which would enable the officer of the Court to investigate, ascertain, and declare the result judicially, and thereby the title to every description of estate would be simplified, and it would be rendered capable of being transferred with the greatest ease and economy. The Bill further provided that all transfers should be brought into the Court, and completed in the Court, the transfer being made by the party himself either in the Court, or by conveyance in the country, and then reported to and recorded in the Court. Thus every interest in land when brought into the Landed Estates Court would be relieved from the necessity of registration in the Deeds Registration Office. The registration of deeds in Ireland had been productive of great inconvenience, and in this respect the introduction of this Bill would afford a great relief. The Bill further contained provisions respecting the registration of judgments, which would place the Irish registry in a superior position to that of England; and also respecting the transfer of charges and mortgages, which would be effected with much greater ease and facility than before. He anticipated that great advantage would result in Ireland from such a record of title as the Bill proposed, and to prove that the system was appreciated, he would only refer to the case of South Australia, where the number of voluntary applications for registering titles had increased from 184 in 1858 to 1,138 in 1864. When the mode of dealing with land, which he had described, became generally known, and the advantageous nature of the transactions within the Court was contrasted with the transactions which took place outside it, he predicted with the utmost confidence that the increase of business would be probably in a greater ratio than that to which he had already referred. He trusted, then, there would be no objection to the second reading of the Bill, but that the measure would be received as the necessary complement of that useful institution—the Landed Estates Court. He begged to move that the Bill be now read a second time.

Moved, That the Bill be now read 2ª.—(*The Lord Chancellor.*)

LORD ST. LEONARDS said, the cases of Ireland and England with regard to the transfer of property were entirely different. In Ireland there was a Landed Estates Court, in which estates were sold by public auction, and an indefeasible title given to the purchaser. Besides that there was a General Registration Act, which had been long in operation, and which had been attended with very beneficial results. The Landed Estates Act in Ireland governed the whole country, so that either the Irish owner or his creditor might take the estate into the Court and there obtain an indefeasible title. In these respects England stood upon a very different footing. We had no general registration throughout this country. All that we had here as general measures was this—that all charges which were likely to be made, independently of the actual execution of deeds, were all, under different Acts of Parliament, brought into one office where, at an expense of only 1*s.*, these charges could easily be ascertained, and it might be easily seen whether the title was clear. Lands passed by actual conveyance, and though there were means of acquiring an indefeasible title, it was not necessary for anybody to go into the Land Transfer Office unless he thought proper. Then there were means for receiving applications for registration of title in England; but the number of such applications was very small. Now, the nature of the Bill might be described in a very few words. It was a measure to destroy all conveyances and dealings with property and ownership in Ireland, as between the owner and his ordinary professional advisers; it was to put a stop to the whole transfer of property as it was now conducted in order to take it into a Court which had been constituted for other purposes, and had enough to occupy its time, and which would have this additional burden thrown upon it, and thus would become the great Conveyancing Court of the country. He (Lord St. Leonards) conceived nothing more injurious to Ireland than this measure. In Ireland at present a man might get a declaration of an indefeasible title; but having got it, if he wished to deal with it out of Court, he must employ a solicitor, and pay him in the regular way. What would their Lordships say to a measure striking at the entire profession of solicitors and attorneys throughout Ireland? This Bill placed both devisees and heirs at law in a position which would expose them to delay, expense, and litigation, to which they were not now subject, and it contained several highly objectionable provisions. No one had been more anxious than himself to further measures for the simplification of the law regulating the transfer of property in Ireland, but he did not think this Bill either a wise or well-considered step in that direction.

THE EARL OF DONOUGHMORE said, he wished to remind his noble and learned Friend that the Bill was not a compulsory measure. It had been carefully considered, and was regarded as highly beneficial by the landed interest of Ireland.

THE MARQUESS OF CLANRICARDE said, that the Incumbered Estates Act had been of great use in regard to titles; but that in a few years, in consequence of the charges and incumbrances incident to landed estates, matters would fall into confusion without some such measure as the present. He should warmly support the Bill, as being calculated to render a great service to the proprietors of land.

THE EARL OF BELMORE: My Lords, before the question is put I wish to say a few words, and to join with my noble Friend who has just down (the Marquess of Clanricarde) and my noble Friend near me (the Earl of Donoughmore) in supporting this Bill. Some time ago an association was formed in Ireland, as the noble and learned Lord on the Woolsack has stated, for the purpose of promoting this measure. That association was composed of noblemen and gentlemen of every shade of political opinion, and I believe the greatest attention has been paid to the Bill, with a view of making it as perfect as possible. I therefore give it my most hearty support.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday next.*

SHEEP AND CATTLE BILL—(No. 58.)
SECOND READING.

Order of the Day for the Second Reading read.

LORD RAVENSWORTH *moved* the second reading of this Bill, which had already passed the Commons without opposition, and said, its importance might be gathered from the fact that in divers parishes in the county of Durham no less than 962 sheep were worried by dogs in the course of a single year. In not one of these cases was any compensation received. The object, therefore, of the Bill was to assimilate the law in this respect to that of Ireland and Scotland.

Motion *agreed to:* Bill read 2^a, and *committed* to a Committee of the Whole House on *Tuesday* next.

PUBLIC SCHOOLS BILL—(No. 32.)
SELECT COMMITTEE NOMINATED.

On the Motion of The Earl of CLARENDON the Lords following were named of the Committee:—

His Royal Highness the Prince of Wales.
Ld. President.
D. Marlborough.
E. Derby.
E. Devon.
E. Stanhope.
E. Clarendon.
E. Carnarvon.
E. Powis.
E. Harrowby.
V. Stratford de Redcliffe.
V. Eversley.
L. Bp. London.
L. Lyttelton.
L. Houghton.

THE EARL OF ELLENBOROUGH *moved* that the several petitions of persons alleging that their interests will be injuriously affected by the Public Schools Bill be referred to the Select Committee, and that such petitioners be allowed to appear by their counsel and witnesses before the Committee.

LORD LYVEDEN said, he feared they would establish a mischievous precedent if they allowed counsel to be heard against this Bill. In the other House no counsel had been allowed to appear before the Committee which considered the expediency of that most important change of power the transfer of the East India Company's possessions to the Crown. If counsel were heard before the Select Committee, it was probable that the Bill would not come down to their Lordships much before the Whitsuntide recess. It would then have to go down to the House of Commons. Under such circumstances no one could entertain a hope that it would pass into law this Session. He had not known any Bill which received so little support as this one. Even the noble Lords who were members of the Public School Commission were not prepared to accept it in its present shape. Meanwhile, he should like to know out of what funds would the fees be procured which would retain counsel for appearing before this Committee? The trustees of the Schools would ask to appear, and he supposed that they were to pay counsel out of the funds of the foundation or the charity of which they held the trusts. But if there was no chance of the Bill passing this Session it was not fair to call upon the trustees to spend part of the funds of the charity to assist in defeating it. It would be better that the Bill should be withdrawn, and that time should be given the trustees to consider such measures as were recommended in the Report. Many of them might be adopted by the Public Schools of their own accord. Out of the thirty-two recommendations in the Report only two were proposed in this Bill; and one the least valuable of all was that which sought to change the governing body. It would be better to leave the present Governors the opportunity of exercising their discretion. But it was objectionable that counsel should appear before the Committee when there was almost a certainty that the Bill could not pass this Session.

The Earl of ELLENBOROUGH said, he understood that the expenses attendant on the retaining of counsel would be borne by subscription, and that very considerable sums had already been raised for the purpose. There would, therefore, be no necessity for the trustees to use trust funds to retain counsel. The parties who wished to appear asked to be heard against such parts of the Bill as affected themselves. They represented valuable property which would be affected by the provisions of this Bill, and they came forward asking the same rights which were accorded to private persons who appeared before a Committee of their Lordships' House against such part of a Bill as affected their interests. If this were a general measure affecting the public at large they could not be heard by counsel, for the delay consequent thereon would make legislation impossible. He trusted that the noble Lord would not interpose any difficulty with respect to the adoption of the Motion. But if the measure were to be postponed, he (the Earl of Ellenborough) agreed with the noble Lord that it would be better to withdraw it for the Session.

Lord WROTTESLEY: My Lords, I understand there is some objection on the ground of form to the Motion of which I gave notice on Tuesday, that the petitioners, whose petition I presented, should be heard by counsel. I will, therefore, with the permission of your Lordships, withdraw it. I am the last person to wish to establish an inconvenient precedent; but then, in fairness, I trust your Lordships will allow me to state the views of the petitioners, both on the details of the Bill, so far as they affect science, and on the general question of the introduction of scientific instruction into schools, and that before this Bill goes into Committee. The petitioners, as your Lordships might anticipate, highly approve of the recommendation of the Public School Commissioners, that the study of physical science shall be introduced into these great schools; and they are grateful to the Government for their good intentions, but they cannot approve of the mode adopted by them for carrying out that recommendation of the Commissioners by the provisions of this Bill. Some there are who contend that there should be a specific enactment, making it imperative that physical science should form an integral part of the instruction given in these schools, but to that I own there may be some objections; but all believe that the cause of science might possibly be rather injured than promoted by the introduction into the governing bodies of these schools a small minority distinguished for their scientific attainments. These gentlemen would be placed in a very invidious position. They might be viewed by their Colleagues as imposed upon them by the Legislature for the express purpose of effecting a change, to which some of them might be on principle opposed, and those who were in favour of the change would still wish to have the sole credit of bringing about the reform. Again, they are afraid that the numerous restrictions imposed by way of qualification for these governorships will so narrow the field of selection, that many, who are the best qualified for the office, will be thereby excluded.

But, my Lords, on the general question of the introduction of scientific teaching into schools, I can with confidence state what are the opinions of our most distinguished men of science. I have had many opportunities, during several years, of ascertaining their views on that subject; I cordially concur in them, and wish to be allowed to explain them fully to your Lordships, the rather that I may have no other opportunity of so doing, and I think it very important that there should be no misunderstanding as to the extent to which we wish that this scientific teaching should be carried. It is very true, my Lords, that those of your Lordships who have read with attention the admirable evidence of Dr. Carpenter and Dr. Hooker, will be at no loss to form an adequate notion on this point, but these may be a small minority, and I am very sure that the readers of blue-books are a small minority of the nation. We wish then, we desire earnestly, that the study of physical science should be introduced into all schools, but if it is to be taught it must be taught really and effectively, not by second or third-rate lecturers, delivering lectures at long intervals unaccompanied by examinations or other tests of proficiency and attention in the hearers, but on a systematic plan, as recommended by the resolutions of the President and Council of the Royal Society of January, 1857. But, on the other hand, we do not wish that these boys should be harassed by abstruse mathematical formula for which their young minds may not be sufficiently developed, and for which they may not have the necessary time at their command; they should go through an elementary course of scientific teaching; the laws of nature should be expounded to them and illustrated by experiments, and the inspection of collections duly arranged, and there should be a tutor at hand to explain difficulties as they arise, and answer questions. I hope your Lordships will allow me to read a short extract from a letter which I have lately received from Professor Phillips, the Professor of Geology at Oxford in reference to this subject. I am sure that all to whom that learned Professor is known will agree with me that there is no one more competent to give an opinion, and no one on whose opinion more reliance may be placed. Professor Phillips, after lamenting that young men should come up to Oxford ignorant of the most ordinary facts of science, goes on to state that there are three things required to bring about the reform we are contemplating— .

> "1. A head master willing to take some trouble to produce a favourable change; 2. Opportunities of seeing arranged collections of objects of Natural History, and witnessing and sharing in experiments in chemistry, and experimental philosophy; 3. Teaching, not in a deductive form, or even very didactic form, but explanations *p. r. n.*, founded on the facts immediately observed, the flowers as they are gathered, the fossils as they are handled, the decompositions as they are witnessed, the levers, microscopes, or barometers as they are worked and used. . . . Again, the main difficulty is, perhaps, in the teaching. For I am much afraid that, to save trouble, and 'get rid' of the subject, some second or third-rate cultivator of science will be engaged to give formal instruction at stated hours, with no pleasant and frequent talk with the students, no help just when it is wanted. . . . Good masters in science (one or two) to each school, resident, in good position, of adequate classical and mathematical attainments, as well as possessed of special scientific knowledge — a museum of small bulk, a laboratory or workroom—this is the sum of my recommendations for making effective in public schools the not inconsiderable inducements now held out by Oxford and Cambridge for the cultivation of physical science."

But, my Lords, I greatly fear that whatever pains may be taken by learned Professors, or the noble Earl below me (The Earl of Clarendon) who has ably advocated scientific teaching, or by any one else to dispel alarm, and to alter preconceived opinions on this subject, some time will elapse before science will be, so to speak, naturalized in our schools, the rather that we have lost a powerful friend, that illustrious Prince, whose loss we all deplore and shall never cease to deplore, I am sure he would have given us his influential aid, for none regretted more than he the lamentable shortcomings of our English educational system in this matter of science. But then I shall be met by the argument that it is a positive benefit that each man shall have his specialty; that one shall be famous for science; another for classics; another for mathematics; that the intellectual capital of the nation is increased by this division of labour: but this argument is founded on the fallacy of assuming that what is good for the mature man is good for the child and boy, that what is good at the commencement of education is good throughout its whole course. It may be quite true that, if any one wishes to excel, he must select some study or pursuit for which he has a strong natural bias and taste, and devote to it a very considerable amount of concentrated, undivided attention. I am not now alluding to success in professions; I believe *that* may be attained without ambition or taste when a strong sense of duty co-exists with an empty purse; but where taste and inclination are required, how are they to be developed? Is it not quite certain they will not be developed if, whenever they show themselves in the child or boy, they are nipped in the bud by the cold frost of neglect and perhaps ridicule, and the child or boy is left in respect to that pursuit which he loves the best in no better condition as to knowledge than those of whom the poet says—

> ——Knowledge, her ample page,
> Rich with the spoils of time, did ne'er unroll.

My Lords, I believe the true theory of education to be, that every mental faculty, especially the faculties of observation, every taste, tendency, and inclination as they spring up like young shoots above the tender soil of infancy, should be fostered, cultivated, watered, even from the earliest dawn of reason; and perhaps it would be well for us, if all our nurses were like the nurses mentioned by Dr. Hooker in his evidence, who, having been taught botany in Professor Henslow's village school, did not drag the child under their charge along when it stopped to examine plant, herb, or flower, but stopped with it to explain such of their properties as could be made intelligible to the infant mind. Unless these tastes and inclinations are thus developed, we incur a perpetual risk of having the wrong man in the wrong place. One who might have been a Newton, a Laplace, or a Faraday, might strive in vain to take an ordinary degree in classics at Oxford; and one who was born to be a Porson or a Gainsford, and, I might add, a Derby or a Lyttelton, one, in short, who was born to be a scholar, might, after struggling painfully over the *Pons Asinorum*, spend his life and fortune in fruitless attempts to rival a Canning or a Gladstone in the other House of Parliament. But what if one result of this neglect of science in youth should be that men occupying high positions in the State should have no true sense of the value of scientific research? I do not say that it is so, but what if it were so, or should be so hereafter. What chance is there, then, that, when new scientific expeditions are proposed, new scientific investigations propounded, that they will be promoted and encouraged? Will they not be met by some chilling response, such as that of *cui bono*, an answer which would never be given by one who was familiar with the history of the inductive sciences—which would never be given by one who knew what magnificent results have arisen from the most insignificant experiments—by one who knew the history of the steam engine and the electric telegraph. I do not mean that no discretion is to be exercised, that any one making a proposal to the Government is to be allowed to spend the public money in the forlorn hope that some good may accrue thereby; I am speaking of propositions by the recognized heads of science, in which all, or almost all concur; if these are rejected—if their attempts to benefit the nation and mankind are foiled—they would have a right to say, as they do say, " A thousand examples prove, that no human foresight can foresee a tithe of the benefit, which may flow from the investigations of abstract science, the knowldege thus obtained is in itself a good—in itself a power—seek it therefore where it is to be had, and never faint or halt in its pursuit, and depend upon it that at some time or other you will reap a glorious harvest."

Motion *agreed to.*

All Petitions, with the Exception of the Petition of Cultivators of Natural Science (presented on Tuesday last), *referred* to the Committee, with Leave to the Petitioners praying to be heard by Counsel against the Bill to be heard as desired.—(*The Earl of Ellenborough.*)

MARRIAGES (LAMBOURNE) BILL [H.L.]

A Bill to render valid certain Marriages solemnized in a Chapel of Ease in the Parish of Lambourne in the County of Berks—Was *presented* by The Lord Bishop of Oxford ; read 1^a (No. 83.)

House adjourned at a quarter-past Seven o'Clock, till To-morrow, half-past Ten o'Clock.

* * *

HOUSE OF COMMONS,

Thursday, May 4, 1865.

MINUTES.]—New Writ Issued—For Lambeth *v.* William Williams, esquire, *deceased.*

New Member Sworn—Tristram Kennedy, esquire *for* Louth.

Ways and Means—*considered in Committee.*

Public Bills — *Resolutions in Committee* — Colonial Governors (Retiring Pensions) ; Harwich Harbour.

Ordered—Arrests for Debt Abolition (Ireland)* ; Dogs Regulation (Ireland)* ; Harwich Harbour* ; Turnpike Tolls Abolition.*

First Reading—Arrests for Debt Abolition (Ireland)* [126] ; Dogs Regulation (Ireland)* [127].

Second Reading — Constabulary Force (Ireland) Act Amendment [122] ; Borough Franchise Extension [32], Debate further *adjourned.*

Committee—Tories, Robbers, and Rapparees (Ireland) [95].

Report—Tories, Robbers, and Rapparees (Ireland) * [95].

Third Reading — Isle of Man Disafforestation (Compensation) [67], and *passed.*

EXECUTIONS AT NEWGATE.

QUESTION.

MR. HANBURY said, he would beg to ask the Secretary of State for the Home Department, If he has received a Memorial from the Court of Common Council of the City, requesting his sanction to the removal of Executions from Newgate to within the walls of the City Prison in Camden Road?

SIR GEORGE GREY said, in reply, that no such memorial had been received, nor was it likely that it should, as it was not in the power of the Secretary of State under the existing law to comply with any such requests.

EDUCATION—SCHOOL GRANTS.

QUESTION.

SIR STAFFORD NORTHCOTE said, he wished to ask the Vice President of the Committee of Council on Education, Whether an Inspector is justified in threatening to recommend that one-tenth of the Grant earned by a School in respect of the proficiency of the Children in reading, writing, and arithmetic should be withheld in case grammar, history, or geography are not taught therein?

MR. H. A. BRUCE said, that he was glad that the Question of his hon. Friend gave him an opportunity of removing a misconception which was very wide-spread, and which had worked and was working much mischief in elementary schools. Although the payments on examination under the Revised Code were made on reading, writing, and arithmetic, it was not the object or the policy of that Code to interfere with the teaching of other elementary subjects, such as history, geography, or grammar, heretofore taught in the National schools. So far was this from being the case, that Instructions to Her Majesty's Inspectors were issued in September, 1862, very soon after the Code came into operation, in which this subject was thus noticed:—

> "The grant to be made to each school depends, as it has ever done, upon the school's whole character and work. The grant is offered for attendance in a school with which the Inspector is satisfied. If he is wholly dissatisfied (Article 50), and if the reasons of such dissatisfaction are confirmed (Article 51*e*) no grant is made. You will judge every school by the same standard that you have hitherto used, as regards its religious, moral, and intellectual merits. The examination under Article 48 does not supersede this judgment, but presupposes it. That article does not prescribe that, if thus much is done, a grant shall be paid, but, unless thus much is done, no grant shall be paid. It does not exclude the inspection of each school by a highly educated public officer, but it fortifies this general test by individual examination. If you keep these distinctions steadily in view you will see how little the scope of your duties is changed."

Again, under Article 52*a* of the Revised Code, not only could the grant be reduced "by not less than one-tenth nor more than one-half in the whole, upon the Inspector's Report, for faults of instruction or discipline," but also "for failure (after one year's notice) of the managers to provide," among other things, "maps." Maps could, of course, only be required for the purpose of teaching geography. He was therefore of opinion that the Inspector had been fully justified in giving the warning to which the question referred. It might be convenient to the House if he took that opportunity of stating that he proposed, when the House met to-morrow, to lay on the table a minute upon the subject of the Endowment of Schools, and make a statement thereon.

THE FINANCIAL STATEMENT.

QUESTION.

MR. DARBY GRIFFITH: I wish, Sir, to ask Mr. Chancellor of the Exchequer, Whether it has come under his observation that one particular morning paper was enabled to publish the substance of his intended Budget on the morning before its communication to this House, and whether it is in accordance with his intention that such anticipation of his Financial Statement should take place?

THE CHANCELLOR OF THE EXCHEQUER: Sir, before I answer the Question of the hon. Member perhaps he will allow me to apologize to him for not having been in my place on Tuesday evening to give him a reply. But the fact is, I was otherwise closely engaged. I was occupied with an army of deputations, headed by Members of Parliament, from which I could not escape. With regard to the first part of the Question of the hon. Member, it did come under my observation that one particular morning paper was enabled to publish the substance of the Budget before it was communicated to the House. With regard to the second part of the hon. Gentleman's Question, it certainly is not in accordance with my intention that such anticipation of the Financial Statement should take place. On the contrary, no man is more directly interested in its not taking place. I shall not make any addition to that answer, except to do an act of justice to gentlemen connected with the Civil Service of this country with whom I have been in confidential communication in connection with nine annual financial statements. It has happened that those gentlemen knew everything up to the last moment; but on this occasion I do not know that any of them was in a position to be guilty of a breach of confidence of which I am sure every one of them would be totally incapable.

FACTORIES ACT—THE CLAY YARDS.

QUESTION.

Mr. HEYGATE said, he would beg to ask the Secretary of State for the Home Department, Whether, in consequence of the Report of Mr. Baker, Inspector of Factories, as to the employment of children and young girls in the Clay Yards of South Staffordshire, it is the intention of Her Majesty's Government to propose the further extension of the Factories Act, or other legislation with reference thereto in the present Session, with a view to the prevention of the excessive labour and demoralizing scenes described in such Report?

Sir GEORGE GREY replied, that an inquiry was now in progress about work in Clay Yards, but it was not yet completed.

FIRE INSURANCE DUTY.—QUESTION.

Mr. WYLD said, he would beg to ask Mr. Chancellor of the Exchequer, If the allowance paid to the Fire Insurance Companies of the United Kingdom, for collecting the existing Duty, is to be abolished; and, if not, whether the present rate of allowance is to be revised, with a view of altering the same to meet the reduction of duty proposed by the Government?

The CHANCELLOR of the EXCHEQUER, in reply, said, it was proposed that the allowance to the Fire Insurance Companies, in the shape of a percentage upon the duties collected by them, should remain exactly as it was at present—namely, 4 per cent in one class, and 5 per cent in the other.

WESTMINSTER PALACE CRYPT.

QUESTION.

Mr. NEWDEGATE said, he wished to ask the First Commissioner of Works, What sum has been expended upon the Crypt connected with this House, under what heading of the Estimates this sum was voted, and to what use or purpose it is intended to apply the Crypt as now embellished?

Mr. COWPER said, in reply, that the restoration and reparation of the Palace of Westminster had commenced more than twenty years ago, and the expenditure on the Crypt formed part of the general contract applicable to the whole building, and it was not possible after the lapse of so many years to distinguish what portion of the expenditure was particularly applied to the Crypt. There was one item, however, referring to it upon which, being a special contract, he could give some information, and that was with regard to the decorative painting and gilding; the whole cost of that work was only £630. ["Hear, hear!"] Hon. Members were doubtless surprised at the smallness of the sum, and it was right to state that the contract was very favourable to the Government, and the work he (Mr. Cowper) apprehended would cost the decorator more than he would receive from the Government. Mr. Crace, being a man of public spirit and faithful to the discharge of his duty, spared no expense or pains to make the decoration of the building worthy of it. The hon. Member also asked what use the Crypt would be put to. It was thought right upon public grounds that such an admirable specimen of the architecture of the 13th century should be restored and open to public exhibition, when the taste for architecture was so widely diffused, and when its cultivation was carried on so successfully in this country. It was not proposed to restore the Crypt to the exact use to which it was put in the time of King Stephen, when it was used as the only Chapel of the ancient Palace of Westminster, nor to the use to which it was put after its restoration at the end of the 13th century. He thought, however, that it would be very convenient to the persons resident within that building, and to many Members of that House and the public at large, if they had opportunities of attending public worship in the Crypt, and he hoped, therefore, arrangements would be made to use it as a place of public worship.

TURNPIKE TRUSTS.—QUESTION.

MR. HUNT said, he would beg to ask the Secretary of State for the Home Department, Whether he intends in the Continuance Act for this year to Schedule for discontinuance all Turnpike Trusts that are out of debt; and, if not, under what special circumstances and upon whose representation will exceptions be made; and whether it is intended to continue in force till November 1866, in accordance with the usual practice in Continuance Acts, all the Trusts which are to be included in the Schedule to this year's Act, so as to give time for representations to be made to the Home Office?

MR. T. G. BARING, in reply, said, the annual Turnpike Continuance Act continued, from year to year, all Turnpike Trusts whose Acts had expired, excepting such as were placed in the Schedule or in the body of that Act. Those placed in the Schedule were fixed to cease on the 1st of November of the ensuing year, in order to give Trustees notice and time enough to apply for the continuance of their Trusts by new private Acts of Parliament. Trusts placed in the body of the Continuance Act were those which, having been placed in the Schedule the year before, had not been renewed by private Acts or made arrangements satisfactory to the Home Office. Those Trusts were fixed to cease on the 1st of November of the current year. His right hon. Friend (Sir George Grey) stated early in the Session that as a general principle it was deemed right that Trusts free from debt should be excluded from the operation of the Continuance Act. It was not proposed to deal with all such Trusts at once; but, speaking generally, only with those against which complaints had been made. Trusts to be dealt with this year would be put in the Schedule of the Continuance Act in the usual way, so as to cease on the 1st of November, 1866. Ample time would thus be given to them to wind up their affairs, make representations to the Home Office, or apply to Parliament for new Acts.

BOROUGH FRANCHISE BILL.

OBSERVATIONS.

SIR GEORGE GREY said, with reference to this Bill, which stood last on the Orders for the Day, that if his hon. Friend the Member for Leeds (Mr. Baines) concurred in the arrangement, the Government proposed to take it as the first Order for Monday, on the understanding that this course would have to be altered if the Financial Resolutions were not disposed of that evening so as to admit of such an arrangement.

MR. BAINES said, he believed that the course proposed by the right hon. Gentleman would be the most convenient and acceptable one to the feelings of the House.

MR. BENTINCK said, he wished to know when the debate on the Union Chargeability Bill was to be resumed. He understood that that Bill was the first on the Orders for Monday, but the course proposed by the right hon. Gentleman would have the effect of throwing all the arrangements into a state of uncertainty.

SIR GEORGE GREY said, it was true that the Union Chargeability Bill was fixed for Monday, but it appeared to be the wish of the House that the debate on the Borough Franchise Bill should be resumed as early as possible.

IRELAND—THE MUSIC AT THE DUBLIN EXHIBITION.

QUESTION.

MR. HENNESSY said, he wished to ask the Chief Secretary for Ireland a Question with reference to the Dublin Exhibition. He might state, by way of explanation, that the programme of the music to be performed at the opening of the Exhibition had been submitted to Lord Wodehouse for his sanction. He understood Lord Wodehouse had struck out several pieces of music, and the programme as it now stood did not contain one Irish piece. He would venture to ask the right hon. Baronet, Whether it is a fact that the arrangements for the opening of the Dublin Exhibition were submitted to the Lord Lieutenant for his approval; and, whether his Excellency has sanctioned a programme from which Irish music has been excluded?

SIR ROBERT PEEL said, he possessed no official knowledge upon the subject. He believed, however, that the programme was settled by the Dublin Exhibition Committee, which was composed of Irish gentlemen. He understood that compositions of Mozart and Handel were to be sung by 1,000 voices, and it was perhaps undesirable that the music of Mozart and Handel should be mingled with "Garry Owen" and "Boyne Water."

Mr. HENNESSY said, he would repeat one part of his Question—whether the programme had been submitted to Lord Wodehouse for approval. He also desired to know whether the right hon. Baronet had ever heard that Handel himself had said that he would rather be the composer of a certain Irish melody than of any of his own works?

Sir ROBERT PEEL said, he believed that the programme was submitted to the Lord Lieutenant, but of course he had no voice in the matter. He believed that it was also submitted to the Prince of Wales.

ASSASSINATION OF THE PRESIDENT OF THE UNITED STATES.

ANSWER TO ADDRESS.

Lord PROBY, the Controller of the Household, brought up the Queen's answer to the Address voted by the House—

Answer to Address [1st May] *reported* as follows:—

"*I entirely participate in the sentiments which you have expressed to Me in the Address which I have received from you, on the Assassination of the President of the United States; and I have given directions that My Minister at Washington shall make known to the Government of that Country the feelings which you entertain in common with Myself and My whole People, with regard to this deplorable Event.*"

WAYS AND MEANS.

Ways and Means — *Considered* in Committee.

(In the Committee.)

Question again proposed.

"That, towards raising the Supply granted to Her Majesty, in lieu of the Duties of Customs now charged on Tea the following Duties of Customs shall, on and after the 6th day of May 1865 until the 1st day of August 1866, be charged thereon on importation into Great Britain and Ireland: viz.

		£	s.	d.
Tea . . .	the lb.	0	0	6:"

Mr. MOFFATT said, that he had been selected by the great and important branch of commerce which was affected by the alteration in the tea duty, to bring its grievance under the notice of the House, partly because he had for the last twenty-five years been largely and intimately connected with the trade, and partly because he had now no personal interest in the question. He was, however, sensible of the injustice which would accrue to those engaged in the trade from the very sudden and abrupt notice given by the right hon. Gentleman the Chancellor of the Exchequer. The dealers in tea alleged that it was necessary for them to keep large stocks of duty-paid tea for the supply of their customers. Upon the faith of a distinct promise from the Chancellor of the Exchequer the dealers now held a large stock of tea, upon which they had paid a duty of 1*s.* per lb.; and now they were suddenly called upon to dispose of it as having paid only 6*d.* The dealers alleged that they had been acting upon the right hon. Gentleman's own assurance on the 16th of April, 1863, when the Budget was settled, and he said—

"The Committee will understand that if the proposal to reduce the duty on tea to 1*s.* per lb. is adopted, it will be a final measure, so far as we can presume to look forward to the future."

Acting upon the faith of that assurance, duty had been paid during the last month upon 7,900,000 lb., and the bulk of that stock was now in the hands of the dealers. They cheerfully acquiesced in the policy of the reduction; but while they admitted the right of the Chancellor of the Exchequer to make any remissions of taxation, they contended that he had no right to remit the tax already paid upon goods which had not yet been distributed to the public. The grievance of these dealers was that a heavy loss would be sustained by them, for which no compensation was made, and that they had incurred that loss mainly in consequence of the pledge that had been given by the Chancellor of the Exchequer. They also stated that their case was without precedent, that it had always been the custom to give due notice of any alteration to be made in the duty on tea. These gentlemen sought an interview with the Chancellor of the Exchequer, who, with his usual courtesy and kindness, consented to receive them. There were upon that deputation representatives from seventy or eighty towns, but, in reply to their remonstrances, the right hon. Gentleman said he could not consent to any delay, which would be contrary to precedent, and would produce a paralysis of trade. The right hon. Gentleman did not say what probably he would say that evening, that delay would de-range his financial arrangements, but he did say that there was a want of unanimity among the trade. Upon this latter point he (Mr. Moffatt), speaking from an intimate personal knowledge, could only say that although there were perhaps twenty or thirty dealers in tea who would be glad to have the reduced duty come at once into operation, yet there were 165,368 dealers in the United Kingdom whose wishes were of a different character. It was rather hard, when all these gentlemen were voters, that on the eve of an election the Liberal candidates should be asked to support the right hon. Gentleman's dictum against all opposition. The Chancellor of the Exchequer also said something about the cost of allowing a drawback upon tea being equivalent to a penny in the income tax. The dealers, however, did not ask for any drawback, but simply that the reduction of duty might be postponed for a brief period to give them an opportunity of disposing of the stocks upon which they had paid the 1*s.* duty. It was not difficult to ascertain what the effect of a postponement would be, for a nearly similar state of things occurred in 1863. At that time it was generally very well understood that the duty on tea was to be altered, and in the twenty-five days preceding the Financial Statement of 1863 duty was paid in the port of London upon 1,159,000 lb., and in the twenty-five days after duty was paid upon 8,146,000 lb., making up in the clearances fifty days nearly ten millions of pounds of tea. The only practical result of the delay asked for would be that the Chancellor of the Exchequer would get rather more of the duty at 1*s.*, and that at 6*d.* would not be in operation quite so soon. The most serious objection of the Chancellor of the Exchequer was that the request of the dealers was opposed to all precedent, and that it was the usual practice to give effect to all alterations of duty as speedily as possible. He was sorry to differ from the right hon. Gentleman upon that point. There had been of late years three great alterations of the duty upon tea. The first was in 1853, when the Chancellor of the Exchequer gave notice on the 16th of April to reduce the duty on tea from 2*s.* 2½*d.* to 1*s.* 9*d.*, to become law on the 1st of June. The next alteration was in 1856 when Sir George Lewis proposed on the 6th of March that the duty should be reduced from 1*s.* 9*d.* to 1*s.* 3*d.* on April 6. The only other alteration until now was made on the 16th of April, 1863, and he appealed to every one whether it was not perfectly well understood by the public that an alteration in the tea duties would take place. No formal notice was necessary, therefore, as to that. That was clearly proved by what he had already stated as to the clearances at that period. He thought the House would perceive from what he had stated that the course which he now proposed was in accordance with precedent. That was the case of the teadealers. On their behalf he would only call one further witness, but that was a high authority—no less a person than Mr. Gladstone. In 1857 the right hon. Gentleman was not Chancellor of the Exchequer, but he then made a Motion of his own accord, and proposed that the duty on tea should be reduced from 1*s.* 9*d.* to 1*s.* 3*d.* per lb., and he specially proposed on March 6 that the reduction should take place from April 5. The right hon. Gentleman then complained of the unfairness to the trade in not making them aware of the intended alteration in the duty. In the same speech the right hon. Gentleman said—

> "What is the consequence of the course that has been taken with respect to the tea duty? Why, in the first place, a distinct promise was given to the parties engaged in the trade, and I confess that I think it a most serious evil that that promise should be broken. It is all very well to come down to the House and say that, whether you grant a remission of the duty on tea or not, no loss will fall on the dealer. I think nothing could be more harsh—I will not say dishonest—than such a statement."—[3 *Hansard,* clxiv. 1983.]

Those are hard words, but they are not mine. They are the words of the right hon. Gentleman when he was making a friendly criticism upon the Budget of Sir George Lewis. The right hon. Gentleman, on that occasion, went on to say—

> "It is most unjust and impolitic to break faith with the dealer, and to defend the non-performance of your promise to him by the allegation that the loss will fall on the consumer and not on him."

And subsequently the right hon. Gentleman expressed the hope—

> "That the House will not be led by any such narrow policy, to exult in the gains that are to be got out of the dealers by a disappointment of the expectations they have been led to entertain."

It was impossible to adduce higher testimony in favour of the Motion which he was about to submit; but he might refer to another high authority, Sir George Lewis, who, on the 12th of August, 1857, said—

> "It is expedient to give as long a notice in regard to these duties as is possible, because a short notice is always embarrassing and disadvantageous to merchants and dealers."

That was especially applicable to these duties on tea. That was the case he had to submit. He had not much hope of convincing the Chancellor of the Exchequer, and those who had intrusted their interests to his care had also little hope; but they did confide in the justice of the House, to which they appealed against the unwarrantable and unjust decision of the Chancellor of the Exchequer. He therefore begged to move to amend the Resolution by substituting the date of the 1st of June for that of the 6th of May.

Mr. CAVE, in seconding the Amendmend, did not go quite so far as the hon. Member for Honiton. He thought that as a general rule all trades must be liable to the chances of a change of duties. When duties were suddenly raised those who possessed large stocks in bond complained, and when they were lowered the complaint came from those who had large stocks duty paid. When the tea duty was last lowered, in 1863, the same number of days only elapsed before the law took effect as on this occasion, and he thought the Chancellor's answer to the hon. Baronet the Member for Stamford on that occasion was conclusive. He had, therefore, declined accompanying the deputation the other day; but on looking more carefully into the question, in consequence of the Motion of the hon. Member for Honiton, he had been surprised to see how much ground had been given to the objectors by the Chancellor himself, and it was upon this ground alone that he supported the Amendment. The hon. Member had gone fully into the question; but he would take the liberty of reading again the exact words of the Chancellor in the debate on the Budget on the 16th of April, 1863—

> "The Committee need not apprehend that the proposal thus to fix the duty upon tea only for a limited period (that was for a year only) will have any disturbing or unsettling effect, for it is thoroughly understood by the trade and by the country that when the tea duty shall be reduced to 1*s*. per pound the reduction will be, so far as we may presume to look forward into the future, a final measure."—[3 *Hansard*, clxx. 229.]

Then, again, on the 23rd, when the Resolution was in Committee, the right hon. Gentleman said, in answer to the Member for Devizes—

> "The 1*s*. duty was proposed as a defined settlement, so to speak, of the question."

Those words might have some meaning which was not apparent on the surface, but he (Mr. Cave) asked the House what interpretation the trade was likely to place upon them other than that the right hon. Gentleman, at least, was not going to deal with those duties again. Again, in the following year, on the reduction of the licence to sell tea in country districts, the right hon. Gentleman used these words—

> "I think it would be good policy, even if we are to put it on no other ground than the furtherance of the great change adopted last year, to make a reduction upon that (namely, the licence) duty."

These words might surely have been expected to strengthen the previous impression, and, having led the trade, at any rate, to believe that the reduction of 1863 was, as far as the Chancellor was concerned, a final one, the dealers told us that they had been induced by them to hold larger stocks of duty-paid goods than they otherwise should have done, and wanted time to reduce them. He confessed he doubted the great advantage to themselves of the concession they asked. He thought the result would be, in places where there was little competition, that people would leave off buying tea till the duty was lowered, and in those places in which there were many competitors they would soon have some one giving notice that he allowed the whole reduction of duty to immediate purchasers, which would, of course, compel the rest to follow. Still, the extension asked for by the hon. Member was a very moderate one, and only placed tea in length of interval on the same footing as that on which sugar was placed last year; and as he thought the trade might be supposed to know their own business, and certainly had a just and reasonable ground for their demand, he should support the Amendment of the hon. Member for Honiton.

Amendment proposed, to leave out the words "6th day of May," and insert the words "1st day of June."—(*Mr. Moffatt.*)

Question proposed, "That the words '6th day of May' stand part of the proposed Resolution."

The CHANCELLOR of the EXCHEQUER: I have nothing to complain of in the speech of my hon. Friend (Mr. Moffatt) except to say that the extracts which he has quoted from my speech in 1856 are entirely irrelevant to the matter in hand. The words are perhaps stronger than I could wish now that I had used, but I do not at all recede from the substance of them. I simply say now that they have no reference to any point raised in this debate. That speech had reference to an interference with arrangements definitely fixed by Parliament, and the object was not at all to take care of the interests of retail dealers, but to encourage merchants to make arrangements in China, which necessarily from the distance require a long time for their execution. My hon. Friend (Mr. Moffatt) takes the ground that on all occasions in which a trade is dealt with time should be given to those who vend the articles on which the duty is reduced to get rid of their stocks. But he does not attempt to draw a distinction between the tea trade and other trades in this respect, for how is it possible to allow this right to the tea trade and to deny it to others? No distinction can be drawn, and no distinction ever has been drawn. As far as my own experience and that of the Departments go, there is no case during the last twenty years in which, in regard to any article not about to undergo a process of manufacture, but simply to be distributed to the consumers, time has been given to get rid of the stocks of the retailers. It was not given in 1863; and, with his means of knowledge, my hon. Friend must be aware that it was not given in 1853. The Resolution in Committee was brought forward at the very first moment possible, and the moment the Resolution was passed and reported the new duty took effect. [Mr. Moffatt: When was it announced?] On the 18th of April; but when the Budget was proposed there was a gap in the revenue which had to be filled up by the authority of Parliament from the lapse of the income tax, and until Parliament had given its assent to the renewal of the income tax we had not the funds to make the reduction. I said myself then that we had been prevented bringing the tea duties forward sooner by the debates on the income tax. The precedents, therefore, on which my hon. Friend has founded himself have really no relation to the case. What my hon. Friend's proposal amounts to is this: that hereafter Parliament is never to reduce any Customs duties without giving notice to the dealers. To such a proposal I must decline to be a party. I have even less occasion to complain of the speech of the hon. and learned Member opposite (Mr. Cave). There is very little in his speech from which I differ. The hon. and learned Gentleman quite agrees with me in what I regard as the main point at issue, and the grounds taken by him is totally different from that taken by my hon. Friend behind me. The hon. and learned Gentleman has narrowed the nature of the case so much that I shall refrain from arguing the larger and more general question raised in the speech of my hon. Friend behind me, and will look in the first instance only at the narrow question raised by the hon. and learned Gentleman. He says that in a former year he was opposed to a demand of this sort, but he thinks that words were used by me in 1863 which had the effect of placing the tea duties *pro hâc vice* on a special ground. I certainly cannot agree with the hon. and learned Gentleman as to the effect of these words. I cannot agree that whoever subsequently proposed the reduction of the tea duty would be bound to have due regard to the effect of those words. I have been frequently told in this House that I have a disposition to deny to it any share in the Government of the country; but I admit without hesitation that this being a matter of taxation, the House may do what it pleases, and my duty and the duty of Her Majesty's Government is to place the House in full possession of all the facts, and the view which is entertained by the Executive upon them. In 1863 I used the words which have been quoted, and I am not now going to argue the question against these allowances in general. If this question can be settled on the narrow ground of a special claim on the part of the tea trade, it will be as well not to enter on the broad ground of general policy. But I may observe that on this latter ground nothing can be more mischievous to the dealer, to the consumer, and to the revenue, than that any particular interest should be allowed to interfere with the arrangements of Parliament, in respect of the time at which reductions of duty are to take effect. By a proposition such as that of my hon. Friend very little is acquired for the retailer, and that little is obtained at a tenfold inconvenience to the public. Looking at my hon. Friend as a man in the foremost rank of the commerce of this country, I am sorry to see him advocating such a proposition. He, however, brings the question forward as a breach of good faith. I am glad it is brought forward on that ground. I have not the slightest intention or desire to blink that question. I am of opinion that there is no breach of faith in the arrangement proposed by the Government, but if it be the opinion of the House that there is, as far as I am concerned, the case is not one in which I feel it necessary to offer any determined opposition. Before 1863 the subject of the tea duty was one on which there had been continual battle in this House, and consequently very considerable uncertainty continued to prevail. Accordingly, in 1863, when we proposed to settle the duty by reducing it to 1*s.*, our object was to get rid of that uncertainty and bring tea again into precisely the same position as that of the rest of the articles on which Customs' duties were levied. It was not our intention to give to tea any special privilege not granted to wine, or spirits, or any other commodity, but to place it as near as we could in the condition of other articles; and we did wish to give the trade clearly to understand that no special cause of agitation would thenceforward exist in respect of tea. Now, that would be a very simple matter if it stood alone, but neither my hon. Friend nor the hon. and learned Member opposite (Mr. Cave) has explained the circumstances under which I used the words which have been quoted this evening. We proposed to make the tea duty the subject of an annual Act; and, *primâ facie*, by such a proposal, we seemed to be putting tea in a position of less security than that of other articles liable to duty. Therefore, it was the duty of the Government to make the trade understand that the article of tea was not to stand in greater uncertainty than any other customable article. My words grew out, not of reducing the duty to a shilling a pound, but of making that duty the subject of an annual Act, and their intention and meaning was that we did not intend thereby to make them a subject of annual agitation and debate. Now, however, my hon. Friend ingeniously, I will not say artfully, makes use of them as conveying another kind of promise, and so founding a special claim. We are of opinion that no special claim exists. I admit that the expressions I used on the occasion were not the most happy that could have been chosen having regard to a change occurring in 1865. The hon. and learned Gentleman opposite thinks that they give to those parties something in the shape of a moral claim. I must confess that his conduct on former occasions, in setting himself against those claims on general grounds, gives his opinion on this matter considerable authority and weight, and makes me entertain a confident hope that on future occasions we shall be found together doing battle, and doing it resolutely, against what I believe to be a vicious principle. With respect to the magnitude of the question there is no doubt about it. When my hon. Friend (Mr. Moffatt) marshalled that army of his in Downing Street, it was utterly impossible for me to meet it with an effectual resistance. Some of the teadealers stated to me in his presence that the moment this Resolution was reported and the officers in the Custom House were directed to act upon it every dealer in the country would reduce his tea 6*d.* a pound. This assertion was made with very considerable boldness. I confess that my objection to my hon. Friend's proposal would be very much mitigated if it operated as an inducement to the 165,000 gentlemen who are flourishing the lash over the heads of their recalcitrant Members to sign a document saying, "I, A B, C D, and E F, hereby declare that I will reduce the price 6*d.* a pound on my tea the day the duty takes effect." The hon. Member says the teadealers are unanimous, and I agree with him that they are usually found to act as one man; there may be a few outsiders, but they, as my hon. Friend says, may safely be disregarded. But my hon. Friend's doctrine is contrary to all experience. [Mr. MOFFATT: It was not mine.] Not my hon. Friend's, but the doctrine of the friends whom he has led on, marshalled, encouraged, sustained, and countenanced. Their doctrine that there would be an immediate reduction of sixpence a pound in price when the duty came in force was all moonshine, contrary to experience. The business of these gentlemen is to get the best price for their tea, and allow me to pay them the compliment of saying that they perfectly well understand the way to do it. Now, while I do not admit that the words which I used in 1863 bear the interpretation which is sought to be put upon them, yet if the House be of a different opinion a sum of £100,000 — which perhaps is about the sum involved in this question—though it is not convenient to part with it at present, is not a thing to stand at any time between this House and what it considers to be an act of justice. To a general recognition of a right on the part of retail dealers to interpose between Parliament and a reduction of a Customs' duty on a particular day I am entirely opposed. I do not deny that in those cases some of them may suffer inconvenience in respect of stocks on hand; but every one of these reductions tends immensely to their benefit, and the amount which they may have to pay at any time in respect of stocks on hand is perfectly insignificant as compared with the advantage which they derive from those changes. I do not by any means call the reduction of the tea duty class legislation; yet, undoubtedly, a special benefit does accrue from it to the parties engaged in distributing tea to the consumers throughout the country after it has left the bonded warehouse. I thought it right to avail myself of the opportunity my hon. Friend opposite gave me of drawing broadly the distinction between the attack upon a principle founded on the practice of twenty years, of denying the intervention of time before Customs' duties are reduced to enable dealers to get rid of their retail stocks and the favourable construction—unfavourable to the Exchequer, but favour able to the trade—which the Committee may be disposed to put upon the words I used in 1863. The words I used were—

> "It will be most convenient to renew the tea duty only until August, 1864. The Committee need not apprehend that the proposal thus to fix the duty upon tea only for a limited period will have any disturbing or unsettling effect; for it is thoroughly understood by the trade and by the country that when the tea duty shall be reduced to 1*s*. per lb. the reduction will be, so far as we may presume to look forward into the future, a final measure."—[3 *Hansard*, clxx. 229.]

The appeal made on the present occasion stands on special grounds, leaving intact the general principle that the time at which a reduction of a duty shall come into operation shall be regulated by large considerations of public policy, and not by the convenience of retail dealers, or the pressure which particular constituencies may bring to bear upon the Members who represent them in Parliament. If it be the opinion of the Committee that out of these words arose a claim special to the present occasion, leaving intact the general principle, it is a matter on which I should not feel justified in placing myself and the Government in conflict with what may be the general wish of Members. I would suggest to my hon. Friend that the most convenient proceeding would be this—that we should strike out all date from the Resolution as it stands, as has often been done before, and then that he should propose another Resolution, which should record the ground upon which the House thinks fit to grant the delay asked for, so as not to interfere with the general principle. The Resolution I would suggest would run in these terms—

> "In consideration of the expectation specially founded upon the declaration of Her Majesty's Government in 1863, in respect of the tea duty, the said reduction shall be postponed till the 1st day of June, 1865."

If I have shown tenacity in resisting what I call a broad and dangerous proposition, I shall have no fear of ulterior consequences if the Resolution is passed in these terms.

MR. CRAWFORD said, that he had to express his thanks to the right hon. Gentleman for having given way upon that point. He could state that certain dealers not far from St. Paul's Churchyard had expended large sums in erecting warehouses and laying in considerable stocks of tea, and if the duty had been at once reduced they would probably have lost not less than £1,000. He thanked the right hon. Gentleman for the course he had taken, and complimented him upon the very ingenious manner in which he had escaped defeat.

MR. NEWDEGATE said, that the rigid rules of action adopted in the case of the French Treaty had inflicted the severest loss upon both his constituents and those of the hon. Member for Coventry. He expressed his thanks to the Chancellor of the Exchequer for not having opposed the House in the expression of its opinion, and for adopting a plan which would relieve a very large class of dealers from severe loss. The money they would have been deprived of would merely have been put into the pockets of the large holders of tea in bond. He was glad to see that the House had resumed its proper place in this matter, as, without its sanction, the Chancellor of the Exchequer could not have done that which he believed to be an act of justice.

MR. HENLEY said, the question in reference to the tea duty was now happily settled, although upon somewhat peculiar grounds. He agreed with the general principle which the Chancellor of the Exchequer had laid down as to the inconvenience of and want of precedent for postponing the reduction of the duty, but the House could hardly have taken a different course, considering the special grounds laid before it. He seized the opportunity, which might not occur again, to notice some very curious statements made by the right hon. Gentleman the other night in his financial statement. He was the more disposed to call attention to the matter because, as the right hon. Gentleman had agreed to violate a general principle in deference to the statements he made upon another occasion, he (Mr. Henley) might consider himself entitled to take the converse of the proposition if the statements made by the right hon. Gentleman the other night were to be persisted in. On the occasion of making his financial statement the Chancellor of the Exchequer endeavoured to exhaust, or, if he might so term it, discount the possibility of dealing with the malt duties, and he ventured to ask the right hon. Gentleman whether he was correctly understood when he was reported in the newspapers to have said—

> "If the right hon. Gentleman the President of the Board of Trade was just in stating the malt duty to be 12½ per cent upon beer for the purpose of comparison, for the sake of argument,"—a very curious distinction—"he would take it at 20 per cent upon the barrel less probably 1 or 2 per cent for the licences, and that to reduce beer, 'that was porter,' one farthing per pot, it would be necessary to reduce the duty on malt to 1*s.* 2*d.*"

He did not know whether he was correct in thus stating the figures, or whether the Chancellor of the Exchequer was misreported.

THE CHANCELLOR OF THE EXCHEQUER: I said it would be necessary to reduce the duty on malt to 1*s.* 2*d.* to reduce the price of beer one farthing a pot.

MR. HENLEY: That was to say of the duty of 2*s* 8½*d.* now placed on malt, 1*s.* 6½*d.* must be taken off. Now, those figures did not appear to him to be accurate, and he was sure the right hon. Gentleman would, if wrong, be glad of an opportunity of setting himself right upon the point. Let them, for "the sake of argument," take two bushels of malt for each barrel of beer, which was the quantity which it had been assumed throughout the discussion would be required. Taking 20 per cent, as assumed by the Chancellor of the Exchequer, to be the duty upon a barrel of beer, that would be exactly one-fifth of its total value which, as sold by the brewers, was 36*s.* The one-fifth of 36*s.* was about 7*s.* 2*d.* as the duty on the barrel arrived at—thus, five into thirty-six went seven times and one over. But the barrel of beer contained 144 pots or quarts, and 144 farthings would make but 3*s.* It did not take much arithmetic to arrive at that. And if the duty at one-fifth on 36*s.* came to 7*s.* 2*d.*, he could not conceive how a farthing a pot could amount to that sum. He had tried it and turned it about in every conceivable way, but he could not make it come to anything different than the figures he had given. He therefore thought the Chancellor of the Exchequer must have fallen into some error when he said it would be necessary to reduce the duty more than one-half in order to reduce the price of a pot of porter one farthing a pot. Of course, if the price of beer as sold by the pot were taken the error would be still greater. He had been casting about in order to find how the mistake arose, and he found that if 1*s.* 2*d.* were taken off the duty, in place of reducing the duty to 1*s.* 2*d.*, the figures of the right hon. Gentleman would come out right. There must have been some modification in the figures of the right hon. Gentleman, and he thought it his duty to call the attention of the House to the subject. He protested against the statement. The figures appeared to have been twisted round. The right hon. Gentleman dissented, and he should be very glad if he could set the matter right.

MR. BRISCOE said, he could not help taking that opportunity of expressing his cordial thanks to the Chancellor of the Exchequer for the concession he had made on behalf of the people. He felt it would be most gratefully received by the tea dealers throughout the country.

SIR FITZROY KELLY said, that he begged to be allowed to make a very few observations in addition to the statement of the right hon. Gentleman (Mr. Henley) to which he must call the serious attention of the Chancellor of the Exchequer. He had not felt the other night at liberty to controvert the statements of the right hon. Gentleman himself, or question the authority of the Department of Inland Revenue—at least, without further information on the subject. It seemed now that "finality" must no longer be attributed to the right hon. Gentleman's proposals, and he must say he heard that admission with great satisfaction, when he remembered that on the occasion to which he referred the right hon. Gentleman, in clear and explicit terms, declared that the extinction of the malt duty would be the death warrant of indirect taxation. He understood that declaration to import neither more nor less than an avowed determination that the extinction of the malt tax could never be the act of the present Government; but after what had occurred to-night they must not always take it for granted that the right hon. Gentleman meant literally what he said. The right hon. Gentleman had not hesitated, in explicit terms, to contradict the statement he (Sir FitzRoy Kelly) had made, to the effect that of the price paid for beer by the consumers throughout the United Kingdom, taking it in the aggregate to be £60,000,000 per annum, one-third of that amount must be attributed to the malt tax. He now repeated that statement, and if the right hon. Gentleman would give him a Select Committee he would pledge himself to substantiate it in every particular and to the fullest extent. Whether the amount paid by the consumers of beer was £40,000,000, as stated by the Chancellor of the Exchequer, (perhaps limiting his computation to England), or £50,000,000 or £60,000,000, he undertook to satisfy the Committee that one-third of that sum was to be attributed entirely to the tax on malt, of which only £6,000,000, deducting charges, passed into the Exchequer, the difference being entirely lost by the public, the consumers of beer. The President of the Board of Trade had stated that 12½ per cent was the amount of the duty paid on malt. [Mr. MILNER GIBSON: On beer.] The right hon. Gentleman, when it suited his argument, used the term "beer," and at another time "malt." It is necessary to distinguish between the tax on the raw material and the tax on the manufactured article. He did not think the Chancellor of the Exchequer would hesitate to agree that 70 per cent was the duty on malt. If we allowed 28*s.* for the price of barley and 4*s.* for the process of malting, then we had 32*s.* Upon that 23*s.* duty, or, perhaps, a little less was paid. That was 72 per cent. He did not wish to put the increase in the process of malt at too high a figure, but supposing they put the duty at 22*s.* 6*d.*, that would not be too high, and the percentage would vary from 66 to 74. He thought he had fairly stated the point when he said the duty payable by the maltster, when the malt was prepared as a saleable article, was 70 per cent; and this became 33 per cent upon beer to the consumer. And when they came to compare the two articles they would find that there was more duty payable upon malt and upon beer than upon tea. He was not about to complain of the duty upon tea. It would be an invidious task to set one commodity against another, or endeavour by any Amendment to intercept the liberality of the Government in taking a certain amount of duty off that article; but if Members of the Government chose to compare one commodity with another, and say to those who had advocated a reduction of the malt tax that their complaints and statements had been unfounded, and that the tea duty had greater claims than the duty upon malt, it became him at all events to call their attention to the particular subjects with which they were dealing. If the House looked for a moment at both duties as they stood at present, they would find that the tax upon malt was the higher. The right hon. Gentlemen the Chancellor of the Exchequer and the President of the Board of Trade had very openly and explicitly addressed the House upon this subject, but the difference between the tax upon malt and that upon tea was this—that the tax upon malt being imposed upon the article in its raw or original state, or in the very first stage of its manufacture, it became increased and multiplied as it passed through the various stages to the consumer. The maltster had his profits from the brewer, the brewer from the publican or innkeeper, and the publican from the consumer, and before the beer reached the consumer the tax upon malt was trebled or quadrupled. That which would be nominally 12½ per cent, as compared with the ultimate price of beer when sold, had become, at least, 33 per cent, by the accumulation of profit upon profit on the original amount of duty. The right hon. Gentleman the Chancellor of the Exchequer had passed rapidly from 12½ to 20 per cent, which he seemed to allow was the proportion charged upon beer when sold in the barrel. If the duty were only 20 per cent when sold in the barrel, he would undertake to prove to demonstration that it became 33 per cent or more at the time it was sold in the public-house by the quart, pint, and glass to the retail purchaser. If the right hon. Gentleman had examined the terms of his own argument, it must have struck him as fallacious when he stated that a large proportion of the whole of the beer sold in this kingdom was by the barrel. Three-fourths of it was sold by the pot and pint in the public-house. This matter must rest very much upon statements, because he could not call brewers before that House to give evidence. There had, however, been letters in the newspapers written by brewers who did not make the same statements in that House, and he only wished that he had had an opportunity of cross-examining them in a witness-box, upon the statements put forth, and he would have shown that the great portion of the beer consumed was sold in quarts and small quantities in the public-houses. He offered once more to prove before any Committee that the 70 per cent duty paid upon malt became, at least, 33 per cent, or one-third, paid upon beer by the consumer. The right hon. Gentleman had also said that in 1722, when the duty upon malt was only 4*s*., or thereabouts, the consumption was as great as in 1864. When he (Sir FitzRoy Kelly) had the opportunity of addressing the House previously, he quoted from actual Returns to show that during some forty or fifty years in the last century, when the duty upon malt was about 4*s*. per quarter, the consumption was as much as two or three bushels for each person; and he also showed that within the last twenty years, when the duty per quarter upon malt was 21*s*. 8½*d*., the amount consumed by each individual according to the population was not in some years one-half that quantity, and for five or ten years it was not more than two thirds that quantity. He would, therefore, be glad to see the Returns from which the right hon. Gentleman took upon himself to inform the House that the consumption of beer was proportionately what he had stated, taking an average of ten or fifteen years. There was another point, with regard to the duty upon wine, to which he wished to speak on behalf of those who complained of the malt tax. It was an injustice to important interests in this country and a reproach to the Government that while they had taken duty to an immense amount off foreign wine during the last forty or fifty years; while they had relieved the rich and well-to-do in the world from a considerable portion of the taxation which fell upon their luxuries, one of which was foreign wines, yet, from 1815 up to the present time, the malt tax remained untouched and undiminished. This was a grievous wrong, especially to the labouring classes of the community throughout Great Britain. Foreign wine to the benefit of foreign traders had been reduced 200 per cent within our own recollection. The right hon. Gentleman had said that the duty on malt was 20 per cent. The duty upon foreign wine was said to be still 27 per cent, but, in fact, it is but 7 per cent. How, then, was that 27 per cent made out? He cared not whether they took an account of the duty on wine at 1*s*. or 2*s*. per gallon or according to the value of the wine; he could not accept the figures given by the right hon. Gentleman the Chancellor of the Exchequer. They ought to look upon the question in a reasonable and common-sense point of view. They ought, in comparing wine with beer, to take that quality of the former article which was generally consumed. What was the amount of duty upon wine costing between 3*s*. and 6*s*. a bottle? As he stated on a former occasion, a duty of 1*s*. a gallon, containing six bottles, would produce a duty of 2*d*. a bottle, and even if 2*s*. per gallon it would be but 4*d*. a bottle. Taking the average of 3*s*. to 4*s*. a bottle, and the duty from 2*d*. to 4*d*. a bottle, it makes the duty to the consumer of wine about 7 per cent. He would also now take the opportunity of asking the right hon. Gentleman when it was likely that he would bring forward his measure for allowing the duty upon malt to be determined by weight instead of measure. If they were to understand in its literal as well as its substantial interpretation the declaration of the right hon. Gentleman that the repeal of the malt tax would be the death-warrant of indirect taxation, and that Her Majesty's Government (in which he concurred) were opposed to the total extinction of indirect taxation, they must also understand it as an express declaration that the malt tax must continue unmitigated and unalleviated in any way as long as the present Government remained in power. He trusted that the right hon. Gentleman would express himself clearly upon the subject, so that they might know what they were to hope and of what they were to despair.

Colonel NORTH said, he did not share in the astonishment which some Members had expressed that the agricultural body should have been ignored completely in the present Budget. The reception which the Chancellor of the Exchequer gave to the deputation of agriculturists a short time ago showed him that they had no chance of redress. Last year a deputation of farmers waited upon the Chancellor of the Exchequer, who cast it in their teeth that there was no agitation on the subject, and he also fired a shell into their ranks which was intended to explode to the detriment of their representatives. He (Colonel North) then told the right hon. Gentleman that the absence of agitation on the part of the farmers of this country did not show that they were not suffering a grievous injustice, though they were quiet, orderly men entirely free from agitation; but when they found that some taxes, like the paper duty, were entirely repealed, and others, such as wine, were partially repealed, they thought it was high time to move in their own matter. The consequence was that early this year, a meeting of agriculturists from all parts of the country, numbering between 2,000 and 3,000 gentlemen, was held in London, and a deputation was appointed to wait upon the Chancellor of the Exchequer. He (Colonel North) must say that, although he had attended many deputations, he never saw one more ungraciously received. The right hon. Gentleman did not even vouchsafe a reply, but merely told them that they had representatives who would be able to fight their battle in the House. The right hon. Gentleman knew that the representatives of the agriculturists would not flinch from their duty; but he also knew that, from their numbers, they had no chance of success. However, as an election was approaching he would find that the agriculturists would appeal from the free trade Ministry now in power to the honest feelings of the constituencies of the country, and, in all probability, they would appeal with success. The right hon. Gentleman, however, might be certain that for the future he would not be able to complain of the absence of agitation. They would continue to agitate until this grievance was fully redressed.

THE CHANCELLOR OF THE EXCHEQUER would refer to the remarks of the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) and the hon. and learned Gentleman the Member for Suffolk (Sir FitzRoy Kelly), which were of a practical character, rather than to the vague and somewhat harsh imputation of the gallant Colonel who had just sat down. The hon. and learned Gentleman had quoted from his speech his statement that as he understood the proposal for the reduction of the malt duty that reduction would be the death-warrant to indirect taxation. His hon. and learned Friend, in proposing the immediate reduction of that duty with a view to its ultimate repeal, accompanied that proposal by no suggestion as to any other manner in which beer could be taxed. He was bound to repeat that the repeal so understood would be the death-warrant of indirect taxation. Time would decide whether his words possessed any weight or not. His hon. and learned Friend had uged that it was the intention of the Government at no time to do anything with the malt duty, but he had most carefully limited his remarks upon the subject to the present year. What he had said as to the future was that beer would have to take its chance when put into competition with tea, sugar, and coffee on the one side; and with wine and spirits on the other. He deprecated, therefore, any attempt to advocate the repeal of the malt tax upon some exceptional grounds, or the establishment of any claim on the part of the agriculturists to an exclusive enjoyment in the reduction of taxes. He did not at all pledge himself, nor ask the House to assent to the proposition, that any alteration or reduction of the malt tax would necessarily be class legislation. What he said was—let the malt tax take its chance in competition with other taxes. With regard to the future, he had endeavoured to point out that the difficulty of operating with regard to indirect taxation was in a great degree to be measured by our obligations in regard to the income tax, and the policy which the House might think fit to adopt with reference to that impost. For three years it had been his good fortune to propose certain remissions of taxation, and he was not aware that anything had occurred to prevent the agriculturists from participating in the benefits which these remissions had conferred upon the public generally. The matter, however, depended upon the House. The malt duty might undoubtedly be reduced if they retained the income tax at 6*d*.; and, as the Resolutions with reference to the latter duty had not yet passed the House, his hon. and learned Friend and the hon. Gentlemen who supported him might, if they were in earnest, propose the reduction of the malt duty instead of the income tax. If they were unanimous upon that (the Opposition) side of the House, then, joined probably with a minority of those who sat on this (the Ministerial) side, they would be able to beat the Government. It was the income tax that stood in sharp competition with the malt tax. He was sanguine enough to believe that if Providence saw fit to grant us fair harvests, together with the inestimable blessings of peace and tranquillity, a more suitable time for the proposal of the hon. and learned Gentleman might arrive, but until the reduction of the income tax was effected the two duties were placed in competition with one another. The hon. and learned Gentleman had referred to words which he (the Chancellor of the Exchequer) had quoted of certain gentlemen who considered that the malt tax occasioned a loss of £20,000,000. He had been unable to gather distinctly from the hon. and learned Gentleman whether he adopted that sum of £20,000,000, but certainly it had been put forward out of doors. There was, however, a great fallacy underlying the statement. The hon. and learned Gentleman complained that the duty on beer on account of the tax had been spoken of by himself as 20 per cent, and by the President of the Board of Trade as 12½ per cent, and insisted that it should be stated at 70 per cent. But there were two entirely different modes of stating the doctrine of percentage, and his hon. Friend's figures, upon his own showing, should be 40 per cent instead of 70 per cent, which of itself he believed to be an excessive amount. The hon. and learned Gentleman also asked whether, in speaking of the consumption of beer in 1720 he had quoted from a Parliamentary Return. He could not now speak positively upon that point, but, at all events, he believed that the statements he then made were perfectly accurate. He did not gather from his hon. and learned Friend's statement whether he believed the consumption of beer in the last century was represented by two bushels or three bushels per head annually. He believed himself that two bushels would be the proper amount, and that for England about represented the consumption at present. The hon. and learned Gentleman also complained of the mode of comparison between the duties on malt and wine, but the calculation adopted was the only just and true mode of calculation. He had proceeded upon the percentages taken by the Customs Department, which, of course, were not taken for the purposes of a malt tax debate. The statistical department of the Customs was extremely well conducted by gentlemen of experience and ability, and he found from the figures returned from that Department that the duty upon wine of all kinds taken together was about 37½ upon £100 value, or about 25 or 26 per cent if calculated on the same basis as led to the statement of 20 per cent as the duty on beer. But if a comparison was to be made between wine and beer, it was not proper to include those higher kinds of wine which could not come into competition with beer as an article of consumption. Therefore, in stating the duty upon wine at 25 per cent, against the duty of 20 per cent on beer, he was representing the case with a grievous injustice to his own argument, for on further investigation he had found that the duty upon the sale of those wines consumed by the classes who drank beer was 50 per cent. He admitted that wine ought to be taxed more highly than beer because of its greater alcoholic qualities, but he thought that no injustice was done to the consumers of beer. He could not concur with the hon. and learned Gentleman's admiration of the old system when, under the pretence of taxing the rich man's luxury, a duty of 5*s.* 9*d.* a gallon was imposed, which had the effect of excluding all wines which could possibly come within the reach of the poor man. The hon. and learned Gentleman had asked about the Malt Bill. He could assure the House that there was no need for hurry in that matter, and ample opportunity would be given for all Gentlemen interested in the subject to make themselves acquainted with the details, which were most important in any decision upon the relative merits of levying the tax by measure or by weight. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley) had referred to some figures quoted in the Financial Statement. The right hon. Gentleman said that if 1*s.* 2*d.* were taken off the malt duty it would give a reduction of a farthing in the price of a quart.

MR. HENLEY said, that that was the only way in which he could account for it, taking the right hon. Gentleman's statement of 20 per cent.

THE CHANCELLOR OF THE EXCHEQUER said, that would not be the case. The statement of 20 per cent referred entirely to the price of beer sold by the barrel, and not sold by the pint or quart; but he did not see how the taking off 1*s.* 2*d.* per bushel would give the required reduction of ¼*d.* per quart upon the barrel of beer. Supposing two bushels of malt went to the barrel, the amount would be 2*s.* 4*d.*, but that would not give ¼*d.* each upon 144 quarts. No amount of ingenuity would make the 1*s.* 2*d.* per bushel cover the reduction of ½*d.* per quart of beer, which was the reduction to which he had referred.

MR. HENLEY said, he should be glad to know from the right hon. Gentleman, how two bushels of malt, at 2*s.* 8½*d.* each, which amounted to 5*s.* 5*d.*, was 20 per cent, or one-sixth of 36*s.* The statement which the right hon. Gentleman had made was upon a barrel of beer, and he stated that the duty was 20 per cent. A barrel of beer was produced from two bushels of malt, and the duty upon that was 5*s.* 5*d.*, and therefore it could not be 20 per cent. The right hon. Gentleman stated that the charge, descending through to the brewer, was 20 per cent on the barrel, less 2 per cent for the brewer's licence and hops. The fifth of 36*s.* was 7*s.* 2½*d.*, and by a rule-of-three sum, if 65*d.* produced 7*s.* 2½*d.*, 28*d.*, which was the double of 1*s.* 2*d.* per barrel, would produce 3*s.* He had not gone down to the price at which beer was produced at the public-house; but he had taken the Chancellor of the Exchequer's figures as being correct, for the sake of argument; and if he were correct, 1*s.* 2*d.* taken off barley would give a reduction of ¼*d.* a quart. He could not see in what other way the right hon. Gentleman could make the calculation.

THE CHANCELLOR OF THE EXCHEQUER said, he proceeded on two different principles, according to the operation he had in hand. When he was calculating the loss to the revenue from any given measure, he proceeded on the strictest possible considerations; but when he spoke of 20 per cent he did not proceed with the same rigour. He stated that the 12½ per cent spoken of by the President of the Board of Trade was perfectly just for his purpose, if not, indeed, absolutely just; but taking a liberal view of all the elements, and putting everything in the position most favourable to his opponents, he would put the tax at 20 per cent. The 20 per cent, however, was made up of the tax on malt, together with the addition of the tax on hops and the brewer's licence. The figure of 1*s.* 6½*d.* he believed to be perfectly accurate, and he was not aware of any ground on which it could be impugned. In dealing with the subject on that footing, he had the highest authority, from which he could not depart, and he believed it to be the only sound basis of calculation.

MR. HENLEY said, the right hon. Gentleman's statement amounted now to this —that to produce a reduction of a certain amount in the price of an article it was not only necessary to take off that amount of duty, but something more. In mentioning 20 per cent, he had always taken into consideration the 2 per cent for licences, &c.

MR. BENTINCK said, he was afraid that he must be added to the number of those who took exception to the statement of the Chancellor of the Exchequer. The right hon. Gentleman proposed the other day to relieve the heavy barley lands by levying the duty by weight instead of by measure. The Chancellor of the Exchequer laboured under a complete misconception as to the result of this proposal. The barleys obtained from the heavy soils were heavier than those obtained from the barley, generally used for malting, by two or three pounds a bushel, and were of less value by 2*s.* or 3*s.* a quarter. Another inconvenience would arise, he was told— namely, that it would be necessary in case of suspected fraud on the revenue to weigh a quantity of malt, and this process would be most injurious to it. He hoped that inquiry would be made on this subject. The right hon. Gentleman said that in 1722 the consumption of malt was five bushels per head, and that the consumption had now arrived at the same point. He was informed, however, that the actual consumption per head of the population was now little more than one-half what it was at the period referred to, although the consumption of beer was the same. This was to be accounted for in two ways. First, the beer now consumed had not half the strength it had in the good old times, and next there were other materials used in the manufacture of the beer, of which one was sugar. Now, the right hon. Gentleman not only refused to take off the duty on malt but he took off the duty on sugar, to enable it to enter into competition with malt. The right hon. Gentleman also dilated on the question of wine and beer, and denied that there was justification for any comparison between the duty on beer and that on the more expensive sorts of wine. That he (Mr. Bentinck) admitted; but the only result of the right hon. Gentleman's policy was to tax the sound, good, wholesome home-made beverage, in favour of that abominable foreign mixture which unfortunately went by the name of the right hon. Gentleman. The one duty was a direct and the other an indirect tax. The right hon. Gentleman stated in his spech the other night that the repeal of the malt duty ought not to be urged for the sake of the agricultural class, but that was an erroneous statement of the whole position of the question. The agriculturists ask for the repeal of that duty, because they felt that in that way, and by other measures, they were overtaxed in proportion to the rest of the community, and because the malt duty was directly at variance with the principle of taxation and finance of which the right hon. Gentleman was one of the great promoters—the principle of free trade. The agricultural portion of the community, which felt aggrieved by the malt duty, did not come to that House to sue *in formâ pauperis*, but to demand an act of common justice. He only trusted that at the ensuing election the rural constituencies would bear in mind that they never could obtain justice in that House until they acquired their fair share of the representation, and that fair representation they never would obtain until they sent men to that House to fight their battles, instead of engaging in mere party contests.

SIR JOHN SHELLEY said, the agriculturists were not entirely ignored in the Budget, but were glad to have the duty of 2*d.* off the income tax, which they thought a great relief. As regarded the malt duty, he did not know any subject on which the agriculturists so much differed in opinion. He believed that that difference of opinion extended to the eastern division of Norfolk, represented by the hon. Gentleman (Mr. Bentinck). Speaking for himself and his tenants, he would rather have the 2*d.* off the income tax than the repeal of the malt duty. Taking the country and the towns together, he believed that no Budget had ever been more popular than the present.

COLONEL BARTTELOT said, the last speaker had been speaking less for East Sussex, where his property was situated, than for Westminster, where he hoped to be re-elected at the next dissolution. Had the hon. Baronet recently canvassed East Sussex, he would have found very little division of opinion on the subject of the malt tax. He thought the Chancellor of the Exchequer made rather a strange assertion in his Budget speech, when he stated that the experiments with regard to the feeding of cattle on malt had been quite conclusive. The right hon. Gentleman said that experience had settled the question, and that it was found that malt was practically useless for that purpose. He (Colonel Barttelot) said the experiments were most inconclusive and indecisive. He stated this the other day, and said the cause of it was the small quantity of feeding that had been the subject of the experiment with regard to milch cows and fatting beasts; and he mentioned an experiment which had been tried in his neighbourhood—"malt *versus* oilcake"—in which malt was triumphant. He believed that the experiments cited by the Chancellor of the Exchequer were not fair ones as regarded cattle; but they were fairer with regard to sheep, although not then conclusive. Agriculturists said the sheep experimented upon were too young, that they were growing, and therefore did not put on flesh as older sheep would have done. Mr. Rigden of Hove, near Brighton, whom he had consulted on the subject, had told him that he had found a great advantage in using malt for feeding young sheep; and Mr. Thomas, a writer in the *Journal of the Farmers' Club*, advocated the use of malt in order to preserve the health of the animals fed, and said the preservation in this way of thousands of lambs would have a most important effect on the price of meat. The late lamented Mr. Cobden also advocated the abolition of the malt tax, on a ground stated by Mr. Latimore, that the tax interfered with the proper rotation of crops, and that malt was necessary for sheep and lambs at particular seasons. The Chancellor of the Exchequer was not, then, quite fair the other night when he stated distinctly that the question of feeding cattle with malt was settled, and that there was nothing more to be said on the subject, except with regard to particular circumstances. The House had one thing clearly before it, and that was that the Chancellor of the Exchequer did not intend to touch the malt tax now. He (Colonel Barttelot) hoped that on a future day the agriculturists might find a Chancellor more disposed to deal fairly and honestly with them. The present Chancellor had volunteered a reduction of the duty on tea. The right hon. Gentleman said that he could not touch the malt tax without interfering with the income tax; then why did he reduce the duty on tea, which was not asked for? The right hon. Gentleman did not go so far as the House wished in the case of the insurance duty. As to tea he (Colonel Barttelot) considered it a most noxious drug. He really considered it a most objectionable drink. He believed that beer was much more wholesome. A pamphlet had lately been published, addressed to Mrs. Gladstone, declaring tea to be a dreadful thing, that it was mischievous to the human frame, and that the doctors had pronounced tea, of all things in the world, unless of the weakest character, to be totally unfit for use. But the ladies of our country went still further, for when they looked down from the boxes of the opera, and saw in the stalls so many young gentlemen hairless at an early age, they declared that their premature baldness was attributable to that dreadfully bad mixture known as tea, that worse concoction called Gladstone's claret, and cigars made of cabbage.

Mr. POLLARD-URQUHART said, he considered that the agriculturists had been very hardly treated. The present Government owed their accession to power a good deal to the assistance given by agriculturists, which would perhaps be remembered when their assistance was again required. He did not think that the Chancellor of the Exchequer had acted rightly in respect of the malt tax. While the duties on every other species of industry had been either diminished or altogether removed, nothing whatever had been done in respect of the manufacture of malt. The right hon. Gentleman had gone into calculations to show how little the reduction of the duty would do in lowering the price of beer, but he did not seem to have taken into account the additional profit which the dealers in beer put on that article in consequence of the existence of the malt duty. The right hon. Gentleman said it would be something like an injustice to Scotland and Ireland to reduce that duty; but, he had often when in Germany thought how preferable it would be to see the people of Ireland and Scotland in fairs consuming the foaming tankards of pure beer, such as they had in Munich and Vienna, rather than the raw spirits now consumed in such quantities by the people of Ireland and Scotland at such festivities. The slovenliness of agriculture had been often complained of, and the Irish had been told to contrast the neat farming of Belgium with theirs; but it was the general custom of the larger farms in Belgium to have their own malting kiln, and where they were not large enough to support one, two or three farms joined together for that purpose. He believed that if the malt tax were repealed something of the same kind would take place in England, and he, for one, would rejoice to see it.

Mr. DUTTON said, that so far from there being the diversity of opinion referred to by the hon. Baronet the Member for Westminster (Sir John Shelley), there never was a question on which the farmers were so united as their opposition to the malt tax. He should support such repeal on the pure principles of free trade whenever the question came before them. The consumption of beer had proved to be stationary as compared with the progress of the population, and he asked the Chancellor of the Exchequer if such a state of things was satisfactory to him. He believed that a remission of a portion of the duty would be a great advantage to the Exchequer and to the community at large, and especially to agricultural labourers, who it was notorious could scarcely ever, except on high days and holidays, obtain beer from one end of the year to the other.

Mr. LAWSON said, he wished to say a word in favour of tea as against beer. They were not to argue the question as to what was beneficial to a particular class, but what would be the most beneficial to all. The grain of the debate had been pretty well thrashed out. He was not going to discuss the question whether it was desirable to reduce the duty on account of the food of cattle, but whether a reduction of the duty would conduce to the good of man. One of the arguments of the repealers was that by reducing the duty we should promote public sobriety by enabling men to drink their beer at home with their families instead of in the beer shop; but he could not understand how cheapening the material of the beer could have that effect. The beer-seller would increase his trade, or sell stronger beer; and he did not see how stronger beer was likely to produce sobriety. The fact was, that a reduction of the duty would be mischievous. It would enable the beer-sellers to offer greater temptations to the people at a cheaper cost. He believed that there was a desire on both sides of the House to do what they believed to be in the interest of the working man; but what he wished to point out was, that they sometimes, with the best intentions, made great mistakes. The working man was not allowed in that House any means of expressing his opinion, his wants, or his wishes. There was a very striking instance of the mistake they made in their well-meant endeavours to benefit the working classes. He alluded to the Beer Bill, which had for its object to make beer cheap, and that he understood to be the object of hon. Gentlemen who advocated the repeal of the malt tax. It was intended by that Bill to wean the working man from the public-house, which was stated to be the great cause of his misery. and to induce him to consume beer at home. But what was the result of that well-meant effort? It was not only his opinion, but the opinion of all persons entitled from their acquaintance with the habits of the working classes to be heard on this subject, that the Beer Act was the greatest curse that was ever inflicted by legislation upon the working people of this country. The House would remember that Sidney Smith was in favour of that Act on the ground that it would prove a boon to the people; but what did he say shortly afterwards in writing to a friend? "The Beer Bill has begun to act; everybody is drunk; those who are not singing are sprawling—the sovereign people are in a beastly state." It had become an acknowledged fact, as stated by the hon. Member for North Essex, that nine-tenths of the crime of this country originated in the visits of the people to the beer shops. The fact was that where they had a large population, as in this country, with an uncontrolled appetite for strong liquors, the consumption of which had been proved to be the great cause of their misery, they would indulge that appetite the more the greater the facility that was given them for its indulgence. He wanted to know, if the repeal of the malt tax would be such a great boon to the working men, how was it that there was so little demand on their part for that boon? While no petitions had been presented from the working classes in favour of the repeal of the malt tax, innumerable petitions had been presented from them to that House praying that a restriction might be placed upon the sale of intoxicating liquors, which was the cause of much of their misery. The advocates of the measure said that drunkenness arose not so much from the beer as from its adulterations; and an hon. Member last year read a list of the ingredients used in the adulterations. They were foots, liquorice, gentian, quassia, shumac, terra japonica, linseed, cocculus indicus, common salt, and Dantzic spruce. The advocates for the beer shops, in 1830, said, "Make the beer-houses, and adulterations will cease." The real results he (Mr. Lawson) had just stated. He could not see the force of this argument. All the legislation which had tended to cheapen intoxicating liquors and give increased facilities for their consumption was a failure, and worse than failure—it was mischievous. Some few years ago the Chancellor of the Exchequer introduced a measure for cheapening wine. He did it, doubtless, with the best intentions, and in the interest, as he said, of public morality. Did he believe that he had succeeded in this object? He (Mr. Lawson) had no faith in this weaning system. The Beer Act was an effort, and it failed. Cheap wine was tried, and this had failed also. The petitions in favour of the repeal of the malt tax had come from the agricultural districts. If the working men wished to get strong, cheap, unadulterated beer they could obtain it through the instrumentality of their co-operative stores. Of these there were not less than 500 in the north, but only one of these was devoted to the sale of beer. To propose the repeal of the malt tax as a benefit to the working classes was little better than mocking them. He thanked the Chancellor of the Exchequer for devoting his surplus to reductions beneficial to the whole of the people instead of to a reduction of the malt tax, which he sincerely believed would be a source of great mischief.

Amendment, by leave, *withdrawn.*

Another Amendment proposed, to leave out the words "on and after the 6th day of May, 1865."—(*Mr. Moffatt.*)

Question, "That the words proposed to be left out stand part of the proposed Resolution," put, and *negatived.*

THE CHANCELLOR OF THE EXCHEQUER then proposed to amend the Resolution by omitting the words "on and after the 6th of May, 1865," and adding the words, "provided that on special grounds the said reduction shall not take effect until the 1st day of June, 1865."

Another Amendment proposed,

To add at the end of the proposed Resolution the words "Provided, That, on special grounds, the said reduction shall not take effect until the 1st day of June 1865."—(*Mr. Moffatt.*)

Question, "That those words be added to the proposed Resolution," put, and *agreed to.*

Original Question, as amended, put, and *agreed to.*

1. *Resolved,* That, towards raising the Supply granted to Her Majesty, in lieu of the Duties of Customs now charged on Tea the following Duties of Customs shall, until the 1st day of August 1866, be charged thereon on importation into Great Britain and Ireland: viz.—

		£	s.	d.
Tea	the lb.	0	0	6:

Provided, That, on special grounds, the said reduction shall not take effect until the 1st day of June 1865.

The CHANCELLOR of the EXCHEQUER moved the following Resolution:—

"That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the sixth day of April, 1865, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the 16th and 17th years of Her Majesty's reign, chapter 34, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say)—For every 20*s.* of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of 4*d.* And for and in respect of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act for every 20*s.* of the annual value thereof:—In England, the Rate or Duty of 2*d.*; and in Scotland and Ireland respectively, the Rate or Duty of 1½*d.*—subject to the provisions contained in section 3 of the Act 26th of Victoria, chapter 22, for the exemption of Persons whose whole Income from every source is under £100 a year, and relief to those whose Income is under £200 a year."

MR. HUBBARD said, he wished to draw the attention of the Committee to the position in which the income tax now stood. The Chancellor of the Exchequer, in proposing the reduction of 2*d.* in the pound on that tax, informed the House that the tax appeared to be entering into a new phase. Instead of having continued for three years, as originally intended, it had endured for twenty-three years, during which period it had passed through a variety of changes, sometimes being reduced and sometimes being increased. It had now reached a stage in which it could be either entirely removed or retained as a part of the permanent financial system of the country. It was almost impossible to decide that question without taking into consideration the relative magnitude of the whole direct and indirect taxation. On comparing those two classes of taxation they would find that the direct was remarkably small contrasted with the indirect taxation, and it would be for the House to determine how far direct taxation ought to be diminished, and whether they were prepared to relinquish an important medium for raising the constant revenue of the country. The wealth of the nation was increasing at a rate variously estimated, some placing it as high as £120,000,000 per annum, but he would take it at £100,000,000, of which increase the larger portion by far must be placed under the head of personal and not real property. Under these circumstances it became of great importance to inquire how this vast increase in personal property could be reached by taxation. The only way in which personal property was reached at present was by the probate and legacy duties at a man's death, and by the income tax during his life. Was it intended, then, altogether to relinquish a tax by which alone they could touch the property of an immensely wealthy class, many of whom, by living abroad, or by spending penuriously preserved all but a small portion of their income from being reached by in direct taxation? So far, he thought, the inducement to continue a tax on income was very strong, but then came the consideration which had been always uppermost in their minds—namely the exceedingly unequal and unjust character of the system by which it was now collected, whereby arose a great provocation to fraud, and a consequent demoralization of the community. Could then the tax be re-constructed so as to avoid these evils? The Chancellor of the Exchequer had frequently expressed his opinion that the re-construction of the income tax was a task beyond the capabilities of any Government; but if the right hon. Gentleman would apply himself to the matter with an earnest desire to construct with the materials at his command a tax which should be just in its principle and in all its essential points, he felt satisfied that he would be able to solve the difficulty. It was true that the tax now produced £1,300,000 for each penny in the pound, instead of £1,000,000 as formerly, but he referred that improvement in the productiveness of the tax to the increased diligence, science, and zeal of the surveyors, even more than to the increased wealth of the country. But here another subject of inquiry arose. In many cases the surveyors had gone beyond their duty in surcharging numbers of persons, who were thereby put to much inconvenience and expense. Several cases of the kind had come within his personal knowledge; and, upon investigation, he found that the surcharges were most unwarrantable, the surveyor surcharging at a venture, and the persons charged being compelled to establish their right to relief. In the very parish in which they were assembled great complaints had been made. The House should, therefore, most carefully scrutinize any new scheme for raising the tax before it consented to impose it upon the country as a permanent source of revenue. He did not propose to make any Motion on the subject, but, as the tax had been re-imposed for a year only, he thought it would become the duty both of Parliament and of the Government, when they next met, to be prepared to meet the question, whether the tax was to become a permanent portion of the financial system of the country, or whether it was so essentially vicious in principle that they were bound gradually to reduce it, with the view to its ultimate extinction.

2. *Resolved,* That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the 6th day of April 1865, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the 16th and 17th years of Her Majesty's reign, chapter 34, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say):

For every twenty shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of four pence;

And for and in respect of the occupation of Lands, Tenements, Hereditaments, and Heritages chargeable under Schedule (B) of the said Act, for every twenty shillings of the annual value thereof,

In England, the Rate or Duty of two pence;

And in Scotland and Ireland respectively, the Rate or Duty of one penny halfpenny:

Subject to the provisions contained in Section 3 of the Act 26th Victoria, chapter 22, for the exemption of Persons whose whole Income from every source is under £100 a year, and relief to those whose income is under £200 a year.

(3.) Motion made, and Question proposed, "That, towards raising the Supply granted to Her Majesty, and in lieu of the Duties now payable in respect of Insurances against loss or damage by Fire only, there shall be charged, collected, and paid for the use of Her Majesty, Her heirs and successors, the following Duties (that is to say):

For and upon every Policy of Assurance or Insurance, or other Instrument, by whatever name the same shall be called, whereby any Insurance shall on or after the 25th day of June 1865, be made of or upon any Building, Goods, Wares, Merchandise, or other property from loss or damage by Fire only, the Duty of one penny;

And for and upon any Note or Memorandum given as a Receipt on the deposit of any sum of money, preparatory to the making out or issuing of any such Policy as aforesaid, the Duty of one penny;

And for and in respect of any such Insurance as aforesaid which shall be made, or continued or renewed, on or after the said 25th day of June 1865, a Duty of one shilling and sixpence for every £100 insured for a year, and at and after that Rate for any fractional part of £100 insured, and for any fractional part of a year, as well as for any number of years for which the Insurance shall be made, or continued or renewed, but no fraction of a penny shall be charged; and when any such Insurance as aforesaid shall be made or renewed at any time between the 27th day of April 1865 and the said 25th day of June, for any period of time extending beyond the said last-mentioned day, there shall be charged and paid for and in respect of the time intervening between the making or renewing of the said Insurance and the said 25th day of June the yearly per-centage Duty at and after the rate chargeable on the said 27th day of April, and for and in respect of any subsequent period including the said 25th day of June, the rate of Duty chargeable according to this Resolution; and no return or allowance of Duty, except at and after the last-mentioned rate, shall be made in respect of time unexpired or otherwise, on any such Insurance as aforesaid, which shall have been made or renewed before the said 27th day of April 1865."

Sir JAMES FERGUSSON said, that he hoped the Chancellor of the Exchequer would consent to an alteration of the time at which the reduction of the duty should come into effect. Great inconvenience would arise to the Scotch insurance offices from the time proposed in the Resolution, and, as no considerable loss could accrue to the revenue from the alteration which he was about to propose, he trusted that the Chancellor of the Exchequer would show the same consideration in this case which he had done in a former instance. The 25th of June was the time at which most of the policies were effected in England; but in Scotland the 15th of May was the great period for effecting insurances and renewing policies. That being so, if the scale of duties were to commence on the 25th of June, the Scotch Companies would be put to the inconvenience either of issuing a receipt for the period between the 15th of May and the 25th of June, or of proceeding on the double scale of duties. No injustice would be done by taking the 15th of May as the date for the whole kingdom, because the duties upon policies of fire insurance effected during the present year were paid up to the 25th of June, and therefore it would be only fresh policies after the day named that would be affected by the change. There might be a certain loss to the revenue from the lower scale upon which payments would be made between the two dates, but he was informed if the alteration were not made the people would prefer becoming their own insurers for the intervening month, and one loss might be fairly set against the other. He begged, therefore, to move the substitution of the words "15th day of May" for "the 25th day of June" in the Resolution.

Amendment proposed, in the 7th line of the proposed Resolution, to leave out the words "25th day of June," and insert the words "15th day of May."—(*Sir James Fergusson.*)

Motion made, and Question proposed, "That the words proposed to be left out stand part of the proposed Resolution."

THE CHANCELLOR OF THE EXCHEQUER said, that he would have been very glad to carry throughout the evening the accommodating character which he appeared to have acquired; but it was not in his power to accede to the Amendment, for several reasons. In the first place, the narrow surplus mentioned in the Financial Statement had been still further reduced by the Vote of the House that night, and it would be most unwise to incure any further diminution. Secondly, the proposal of the hon. Baronet would be retrospective legislation of a kind that was entirely without precedent. It was perfectly certain that the Bill could not become law until after the 15th of May, and therefore to fix that day would be an innovation of a serious character only to be justified by the gravest reasons. Lastly, he could not accede to the argument founded upon inconvenience. Unfortunately, they had different quarter days in England and Scotland, and those of England had been adopted in the Bill as the most appropriate. He was sorry any inconvenience should be felt in Scotland, but Scotch transactions being in a very small minority, it would have been a great mistake to have adopted the Scotch date in preference to the English.

MR. H. B. SHERIDAN said, that he wished to ask a question with regard to the operation of the Resolution. He understood that all who had paid their insurances on the 25th of March, which was the quarter-day on which insurances were made for the whole year, would, under this Resolution, be entitled to claim from the insurance companies a Return after the 25th of June of the excess of duty which they might have paid. But in a great many instances the duty had been already paid to the Government, which collected its duties quarterly, and therefore might have already reached the hands of the right hon. Gentleman. Would the right hon. Gentleman consent to return the money? He had received letters which informed him that a great many persons were in the habit of paying their insurances three, five, and even seven years in advance; and in one case the writer, a solicitor, said he had several houses, upon which he always paid seven years in advance; that he had so paid £11,600, and that the Government would unjustly keep £43 10*s.* of his money unless some return were made. His correspondent called that "wholesale robbery."

THE CHANCELLOR OF THE EXCHEQUER said, with regard to the question of the hon. Gentleman and other similar ones which might arise, he wished to observe that the Government proposed to go on precisely as they had done last year, and if they were to depart from the regulations then made it was quite evident that they would raise a crop of questions not only belonging to the present Session, but, retrospectively, questions which had been settled last year which would involve them in great difficulties. The two proceedings were connected by so many links that they must be regarded as parts of one transaction. No allowance was made last year for payments in advance for more than a year, and he proposed to follow the same course this year. With regard to the other question, he was a little at variance with the hon. Member in his idea of the fact. He was very doubtful whether there were any cases of payments in advance falling in the period of the reduced duty, where the money had already found its way into the hands of the Government. If the hon. Member was as conversant with the practice of insurance companies as to paying their duties as he was with the general bearing of the question of fire insurance, he would find that the payments of duty were mostly considerably in arrears. The money, then, in such cases as he described, would be in the hands of the companies, and would form a matter of account in settling with them. At the same time, if any such cases should occur the Government would be quite willing to deal with them according to their particular merits.

Mr. HUBBARD said, he regarded the remission in the Fire Insurance Duty as very gratifying to the House and the country. The hon. Member for Dudley (Mr. Sheridan) was, he thought, rather unreasonable the other evening when he expressed his disappointment at the extent of the reduction. The Chancellor of the Exchequer had taken the Resolution of the House, proposed by the hon. Member himself, as his rule and guide, and had obeyed it literally. There was, therefore, in his opinion, no ground of complaint against the right hon. Gentleman. It was further to be remembered that, taken in connection with the other remissions of taxation, the Chancellor of the Exchequer left himself no margin for a larger reduction of Fire Insurance Duty. From the terms, however, in which he communicated his intention, the House was justified in the certain expectation that before very long the whole of the Fire Insurance Duty would be removed. It had been stated that the lower duty would recoup itself by the impetus it would give to the practice of insuring. He, for one, had never used that argument. He denied the propriety of keeping any duty whatever on Fire Insurance, and he accepted the definition of the tax by the Chancellor of the Exchequer as decisive. The right hon. Gentleman said the duty had been called a tax upon prudence, but he gave a more correct and more telling definition. He described it as a tax upon property with two large exemptions—an exemption to the imprudent and to men of large property. Accepting that definition, he (Mr. Hubbard) regarded a Fire Insurance Duty of 1*s*., or even of 6*d*., as too high. There ought to be no duty at all, except a duty of 1*d*. per cent as a record of the growth of the property coming under that head, it forming an especially interesting branch of domestic economy. The duty on Marine Insurance was very much lighter than it used to be, but it was still in an improper and unsatisfactory condition. The lowest duty was 3*d*. when the rate did not exceed 10*s*. premium, but as premium rose the duty rose also. If the premium rose to 50*s*. the duty rose to 4*s*. on the value insured. The effect was that, in the worst times of the year, when property was in the most jeopardy, the increased cost of insurance arising out of such circumstances was aggravated from increased duty. These were taxes on the consumer, and it was the object of wise legislation to diminish, as much as possible, the taxes on imports, which were the fruits of the industry of the country and the means of subsistence of the people. He trusted that at some future period the Chancellor of the Exchequer would make a decisive alteration of the scale of Marine Insurance Duties, so as to take the present minimum rate of 3*d*. per £100 of the sum insured and make it the invariable duty whatever be the premium paid. The Chancellor of the Exchequer had passed a most useful measure to enable the working classes to insure their lives. There was the same inducement of prudence to insure lives and houses. According to the last tables, a man who began to pay 40*s*. per annum at the age of twenty-six insured £100 payable to his executors at his death. What would be the effect upon the scheme if a quarter of the sum went as a tax into the Exchequer? It would arrest all action and neutralize the whole of the advantage that was expected from the measure. He maintained that it was the duty of the Government to avoid discouraging the exercise of prudence in any form of insurance, and to reduce the duties on Fire and Marine Insurance to the minimum which he had ventured to suggest.

Mr. F. S. POWELL said, he regretted that the Chancellor of the Exchequer had not seen his way to a more considerable reduction of the Fire Insurance Duty. The objection to such a duty was threefold. It was a tax on prudence, on property of a particular kind that was exposed to risk by fire, and a restraint on a branch of legitimate trade, capital, and enterprise. The tax pressed very heavily on the class of small houses which, if sold, would bring only from ten to fifteen years' purchase, but which were burdened by heavy local imposts in the nature of poor rates, property tax, charges for management, and the risk of loss from failure to pay rent. In the borough he had the honour to represent there was a great variety of opinions upon political subjects, but every man was of the same mind as to the impropriety of this tax, which was a blot upon our financial system. He trusted that the right hon. Gentleman would, before long, see his way to the entire removal of the tax on fire insurances from our fiscal system.

Colonel SYKES said, he had understood the Chancellor of the Exchequer to say that duties paid to insurance companies yearly, or in a lump, for several years were only paid into the Exchequer quarterly. Was that so?

THE CHANCELLOR OF THE EXCHEQUER said, that the practice was, when a person insured to carry on the fraction of a quarter, if there were one, to the next quarter-day, and generally the policies would run twelve months from that quarter-day. The insurances of the four quarter days were separately dealt with, but were not paid at once into the Exchequer. The companies had a certain time allowed them. Practically, the companies were always a quarter in arrear at the Exchequer; but they paid on each quarter-day for all the yearly policies renewed or effected.

MR. AYRTON said, the wealthier classes of the country were extremely astute in finding reasons to escape from the operation of particular taxes, but he did not find that they were equally on the alert to suggest modes by which other and more equitable taxes might be substituted for those withdrawn, to which they could themselves make an equitable contribution. The Fire Insurance Duty had been denounced upon every moral and political ground, but he had never heard in these debates a suggestion as to how the Chancellor of the Exchequer was to reach the richest classes, to whom the remission would be a great gain. No doubt the attempt to reach property through the medium of the Fire Insurance Duty had been attended with injurious effects; but originally the tax was one of the most constitutional ever imposed. In very early times taxation was placed upon all visible property—not, as some politicians imagined, upon land merely, but on all kinds of visible property. In course of time, no doubt, the land was solely charged, but it was because it was the most obvious source of revenue, visible property of other kinds finding means to escape its proper share of contribution. It was in order to reach the property which thus withdrew itself from taxation, and from being visible became invisible, that the device of a duty upon insurance was first adopted. No better evidence of wealth could be afforded than when a man collected in his house a large amount of unproductive property—not only furnishing his residence sumptuously, but accumulating and surrounding himself with works of art. Manifestly, such a man could well afford to contribute to the public burdens. Some centuries ago a great English financier applied a stringent test to property of this kind, but his agents came to an untimely end. The principle upon which they acted was called "the Dilemma," and their instructions were to examine into the circumstances of every man. If they found anybody spending a great deal, this was accepted as a proof that he had the means of contributing to the necessities of the State; if, on the other hand, a man was sparing in his expenditure, his thriftiness showed that he must have accumulated wealth, and from his store could afford to spare for the service of his Sovereign. That was the principle established by Henry VII., and though it might have been carried to too great an extent, in principle it embodied sound views of taxation. Upon a survey of the Budget of the present Session, he feared the people would scarcely feel that they had got their full share of benefit from the contemplated remissions of taxation, which were boons rather to the property than the industry of the country. Whenever the Chancellor of the Exchequer came next to review the national taxation, it would be well that this view of the subject should not escape his attention. Nothing, he confessed, had given him more pleasure in the Financial Statement than the passages which showed that in the mind of the right hon. Gentleman the conviction was growing that the idea once prevalent, and for which he himself had contended, as to the necessity for abolishing the income tax, was neither sound nor expedient. He plainly intimated that at whatever figure it might be placed for the time, it would be regarded as one of the permanent sources of public revenue; and if it were retained as a great machine of taxation it ought to be kept in the most perfect working order. No doubt, in some of its aspects the income tax was unjust and oppressive, but no tax yet was ever levied to the perfect satisfaction of those who had to pay the money. The income tax was, to his mind, as legitimate a source of revenue as could exist; the hypercritical arguments about unequal adjustment were not to be accepted against it more than against any other source of revenue. He had no doubt if it were understood that the tax was to be permanent, the Government would apply themselves to insuring a more just assessment, and that at no distant day it would be paid with as little reluctance as any other impost. It seemed to him, that it would be the duty of the Chancellor of the Exchequer to bring the unproductive property of the country within the range of the income tax. He protested against its being supposed that there ought to be this desperate run against the taxation of property in favour of taxing the industry of the working classes.

SIR FRANCIS CROSSLEY said, that in order to do what the hon. and learned Gentleman the Member for the Tower Hamlets (Mr. Ayrton) required, it would be necessary to go a step further and compel every one to insure, to get at what he called the unproductive property of the country. He thought it would have been much better if the Chancellor of the Exchequer had reduced the duty to 1*s.* than to 1*s.* 6*d.*, and he was inclined to think if that had been done a larger amount of revenue would have been obtained. The sum of 1*s.* 6*d.* upon a £100 risk was an enormous duty. He hoped the Chancellor of the Exchequer would not consider this question settled. He supported the Budget because he considered it was on the whole a good one.

MR. H. B. SHERIDAN said, he was at a loss to understand why the hon. and learned Gentleman the Member for the Tower Hamlets had called it unproductive property because it was not insured, and so far from its not being taxed, he begged to state that it was taxed both for national and local purposes. Insurance was not a question between rich and poor. If a man's house were burnt down, it was a State loss, inasmuch as the payment, and the security for the payment, of a certain amount of rates and taxes were both lost to the State. The tax upon insurance was no more a tax upon property than a bet on the Derby was a tax upon property. Insurance meant nothing more than this—the owner bet the office 1*s.* 6*d.* to £100 that his house would not be burnt down; and the office bet the owner £100 against 1*s.* 6*d.* that it would be burnt down; and this wager was repeated every time the insurer paid his money, and the event might never happen. The insurance tax was nothing else than a tax upon this system of betting. Besides it was an event that might not come off for some generations, there being instances of houses still standing that were erected 150 or 200 years ago. It would be impossible to convince the country that this was a tax upon property.

MR. VANSITTART said, he thought that the right hon. Gentleman the Chancellor of the Exchequer had lost a grand opportunity of dealing with this tax in a generous manner, by reducing it to 1*s.* He did not rise to take part in the discussion, because hon. Members on the Opposition Benches had reason to congratulate themselves on having for the last six years not only constantly and persistently supported the hon. Member for Dudley (Mr. Sheridan) in obtaining a reduction of this tax, but also others in calling for a reduction of the income tax, but he rose to ask the right hon. Gentleman the Chancellor of the Exchequer a question in which his constituents felt much interest—namely, whether or not they were entitled to a return of the amount of premiums paid by them at Christmas and Lady Day last, on the renewal of their policy at the 3*s.* rate of duty.

THE CHANCELLOR OF THE EXCHEQUER said, they were not.

Question, "That the words proposed to be left out stand part of the proposed Resolution," put, and *agreed to.*

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;*

Committee to sit again *To-morrow.*

CONSTABULARY FORCE (IRELAND) ACT AMENDMENT BILL—[BILL 122.]

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Robert Peel.*)

MR. BAGWELL said, that the effect of the Bill would be entirely to change the allocation of the police force as fixed by the Act 20 & 21 *Vict.* c. 17. Under that Act the county of Tipperary was allowed 1,030 men, and that number had been found so insufficient to preserve the peace of the county that a further large number had been paid out of the county rates. Notwithstanding that, it was proposed by this Bill to take away from them 246 men. He could not admit that the occurrence of riots in Belfast was a sufficient reason for disturbing the police arrangements throughout Ireland. It was strange, too, that all the proposed additions to the force would take place in Protestant counties, which it had always been said were settled, quiet, and contented. The county of Waterford had now 149 police, and no more had been asked for by the authorities, but the Government were going to give it 219, taking 246 away from the county of Tipperary, which already had to pay extra constables. He should like to know whether the opinion of either the Lord Lieutenant, the high sheriff, or the grand jury had been asked upon the question of that withdrawal.

COLONEL FRENCH said, he had to complain that the police force in Roscommon was to be reduced from 347 to 337 men. There was the less reason for such a change inasmuch as by the Act passed a few years ago the force in that county had been reduced from 437 men to 347; and the county had at present an additional body of fifty men to maintain at its own cost.

SIR ROBERT PEEL said, he had made a full statement of the provisions of the Bill the other evening. The object of the Bill was to provide for the establishment in Belfast of a police force which would not be under the control of the municipal authorities. Recent events had proved the necessity of such a measure, recommended, as it had been, by the Report of the Commissioners specially appointed to investigate the subject, and he believed it met with general approval. The hon. and learned Member for Belfast (Sir Hugh Cairns), who was unable to be present upon that occasion, had assured him that he had no opposition to offer to the Motion for the second reading of the Bill. It was proposed that 130 of the police force already in Ireland should be stationed in Belfast, and of that number fifty-nine would be taken from the county of Antrim, and fourteen from the county of Down; but the fact was, that as Belfast occupied portions of each of these two counties, they already supplied it with those men. The remainder of the 130 men would be taken from various counties; but he had to inform the hon. Member for Limerick and the hon. Member for Clonmel that there would be none removed from Limerick or Tipperary. He hoped the House would then assent to the second reading of the Bill, and they could afterwards consider its details in Committee. He proposed to introduce in the fourth clause an Amendment, which would leave undetermined the number of men to be added to the 130 at Belfast, so that the Lord Lieutenant could exercise a discretion in the matter. He would only further observe, that the present police force in Ireland had been established to meet the requirements of a larger population than that which the country at present contained.

MR. BAGWELL said, that the Government Returns gave the number of policemen in Tipperary at 1,032, while the number was set down in the Bill at 784; and it therefore appeared that there was to be in that case a reduction of 248 men.

SIR ROBERT PEEL said, that the Bill would only take 130 men from all the Irish counties, and it was manifest therefore that it would not remove 248 men from Tipperary.

LORD JOHN BROWNE said, he believed his hon. Friend the Member for Clonmel must be mistaken in reference to the Return from which he had quoted. It appeared to him that the distribution of the force proposed in the Bill was better than that which at present existed.

Motion *agreed to*.

Bill read 2°, and *committed* for *Thursday* next.

COLONIAL GOVERNORS' (RETIRING PENSIONS).

Considered in Committee.

(In the Committee.)

MR. CARDWELL said, he should preface with a very few remarks the Bill he now asked permission to introduce. The subject had already been brought more than once under the consideration of the House by different hon. Gentlemen who took an interest in the subject. He thought it would be generally admitted that the position of Colonial Governors was a most responsible one, and that the gentlemen who filled it ought not to be called on to exercise parsimonious savings with a view to make provision for their declining years. It was also one in which the holders had no claim for consecutive employment. According to the rule laid down by Mr. Huskisson, their employment terminated at a given period, it was uncertain and could not always be immediately renewed. It was, therefore, felt desirable that some provision should be made in the nature of a pension for those who had held this particular office. This class presented the single exception to the rule of retiring pensions. Throughout the Civil Service such a provision was made. In the diplomatic service there was the same provision. Even those engaged in the political service of the country had some provision in the shape of pensions. It appeared right, therefore, that some provision should be made for those holding the office of Colonial Governor. But it had been suggested that if made it ought to be at the expense not of this country but of the colonies. Now, the answer he had to make to that statement was this. He fully insisted upon and recognized the principle that the payment of a Colonial Governor properly fell upon the colony, and not on this country. But if the Governor chiefly served the colony, it could not be denied that he did discharge important duties to the Queen, whose representative he was, and to this country. Was it right, then, that, admitting the principle of retiring pensions, these Imperial services should be ignored? It must be recollected that, in point of fact, to throw this particular payment on the colonial resources was only, in other words, denying it altogether. The colonies had not, and could not have, a joint purse. Every colony had a separate treasury, and separate responsibilities, and they could not pension a Colonial Governor from the treasury of one for services rendered in another. Nor could any scale be adopted. The highest salary of a Colonial Governor was £10,000 a year and the lowest £500. There could be no joint purse or scale of contribution, and, therefore, if the payment was just and right, it must be defrayed from the finances of this country. Having established, first, that the charge ought fairly to be incurred, and secondly, that from necessity and justice it must be met by the Treasury of this country, the next question was as to the principle they should adopt in regulating what the pensions should be. It would be evident to the Committee that they should arrive at some principle to be laid down by Act of Parliament, to which the gentlemen who received the pensions might look forward as constituting a regular and established rule. Such a matter should be left as little as possible to the judgment, the interpretation, and, he would even say, the caprice of the Secretary of State. From the nature of the employment it was difficult to lay down those precise rules which referred to the permanent servants of this country. The employment was, for public reasons, temporary, and terminating in each case after a number of years. That rule was laid down by Mr. Huskisson, and had been maintained ever since upon grounds of public policy and utility. The Committee would feel, however, that an endeavour should be made to establish some rules, and not leave a question of this kind to be decided by political considerations. In laying down these rules he thought they must adopt as far as possible an analogy—though not in the precise terms—to the rules relating to the permanent Civil Service of England, and the first rule he would lay down was that every pension should begin to be paid at the age of sixty years. He took that from the Civil Service Superannuation Act. The next rule he proposed was that, as the office could not in principle be considered permanent, a pension should be given to those who had devoted their lives to the service of their country in that particular mode for which the Bill intended to provide. It was thought by the Government that these conditions constituted a *quasi*-permanent service. In the first instance, if a gentleman had filled three Governments—that was, if he had served for eighteen years, he might be considered to have devoted himself to the service of his country as a Colonial Governor, and as being entitled to a pension. Next, they thought that those practical and valuable public servants who were taken from the permanent Civil Service of this country to fill the office of Colonial Governor should not be excluded from combining the time they had served in the Civil Service with that which they had served as Colonial Governors. Therefore, the second class of persons whom it was thought fair to include within these pensions were those who had served altogether a period of at least twenty-five years, having served ten of these as Colonial Governors. The Government would make provision, thirdly, for those who retired, not from age, but in consequence of ill health. If a person had served fifteen years as Colonial Governor, and then retired from permanent ill health, he should be entitled to a pension, and in this case it was not proposed that the pension should wait until the officer was sixty years of age, but should begin from the time of his retirement. Another class of persons would obtain the benefit of the Bill, and these were gentlemen who, not having served the full period would not be entitled to the whole pension, but would receive a portion of it. This was the case of a person who, after forty years of age, had served for twelve years as Governor of a colony, or for twenty years partly in the Civil Service, but at least eight years as Governor. This class would constitute a claim for a pension of two-thirds of the entire amount of the salary, and would include persons retiring from permanent disability after a service of ten years. Then the pension itself would depend upon the salary which the colony gave the Governor. The colonies would be divided into four categories, according to the amount of salary. The first would be colonies where the salary was £5,000 and upwards, where the pension would be £1,000; next, the colonies where the salary was £2,000, where the pension would be £750. The third class would be where the salaries were £1,000, where the pension would be £500. The fourth, where the salaries fell below £1,000, and where the pension would be £250. There would be certain other conditions laid down accompanying the granting of pensions. He would now move a Resolution on which he proposed to find a Bill, in accordance with these propositions.

Resolution *moved*—

"That it is expedient to authorise the payment, out of the Consolidated Fund of Great Britain and Ireland, of the charge for Retiring Pensions of Colonial Governors."

MR. MARSH said, up to a recent period the Governors of colonies generally received valuable perquisites in addition to their salaries, but these had been all abolished. He thought the time had arrived when pensions ought to be granted to them. Indeed, he wondered it had not been done before.

MR. AYRTON said, the salaries of the Colonial Governors had been fixed at a high standard, because they had not pensions, and he was astonished to find they were now about to receive them. He hoped the proposition did not include India.

MR. CARDWELL said, that the Bill would have no reference to our Indian possessions. It only applied to the colonies in the usual sense of the word.

MR. M'MAHON said, he had to suggest the propriety of postponing the consideration of the proposed measure until next Session, when much might be done in the way of abolishing many of the Colonial Governorships — especially those in the West India Islands—which were utterly useless. He believed the colonies were far better able to provide pensions for their Governors than we were.

MR. CHICHESTER FORTESCUE said, he hoped the hon. and learned Gentleman would not alarm himself about the magnitude of the expense which the measure would occasion. It would not create such a heavy charge upon the country as would require the consideration of the new Parliament. The hon. Member (Mr. Ayrton) was altogether mistaken in saying that the salaries had been fixed high on the ground that there was no pension. The salaries had been largely reduced in almost every case, and the officers thrown upon the colonies themselves. While the salaries of the Governors were very moderate, they had a great expenditure, and had to maintain a high position as representatives of the Queen. He would now leave the matter entirely in the hands of the House.

MR. VANSITTART said, he believed it to be a mistaken principle to regulate the pensions by the amount of salaries received by the Governors. The promotion of Colonial Governors was the result of interest, and while one man with interest might receive a large salary in a mild and healthy climate, another without the necessary means of obtaining promotion would be sent to spend years in a place like Sierra Leone, which was a perfect Golgotha. He believed that the right hon. Gentleman's predecessor had complained to the House of the difficulty under which he laboured in procuring a Governor for the colony. And yet the salary of the latter Governor might be much less than that of the former. They were, in point of fact, not going to regulate the pensions by the length of time which the Governors had been in the public service, but by the amount they had received as salaries. He might mention, in answer to the hon. Member for Salisbury (Mr. Marsh) that the lieutenant-governors and the Governors in the Indian service were not allowed to trade in any way whatever. They were strictly prohibited from speculating, buying land, taking shares in public companies, or mixing themselves in any public concern, but this was not the case in the colonies, where the Governors, the secretaries, and the clerks oftentimes engaged in speculation. In fixing, therefore, the pension of Colonial Governors, no reference ought to be made to Indian Governors, because they stood on a wholly different footing. He did not say this in disparagement of the claims of our colonial governors, but simply in reply to the observations of his hon. Friend the Member for Salisbury. His sole object in rising was to ask the right hon. Gentleman to reconsider the matter, and to regulate the pensions by the periods of service.

MR. MARSH said, he did not anticipate any heavy charge from this measure. His hon. Friend (Mr. Vansittart) had referred to Sierra Leone, but it was evident that if any Governor remained long in that colony he would not require any pension.

MR. HIBBERT said, he wished to ask what proportion of the payment of the pensions would fall upon the colonists themselves. If not any, he thought the pensions should be regulated according to the amount of salaries paid by this country.

MR. CHICHESTER FORTESCUE said, that the salaries of the Colonial Governors were, with very few exceptions, paid by the colonies. But the Colonial Governors were partly servants of the colony and partly of the Imperial Government, and their Imperial duties were as important as their colonial duties. The Government, therefore, thought that the pensions should be paid by the Imperial Government. There were, moreover, difficulties, almost amounting to impossibilities, in the way of charging these pensions upon the colonies, because the Governors were frequently transferred from one colony to another after short periods of service, and it would be found impossible to frame a scheme under which the colonies could be made to contribute to a common fund for the purpose of defraying those pensions.

SIR JOHN PAKINGTON said, that as the question before the House related only to the introduction of a measure for giving pensions to Colonial Governors, he would confine himself to expressing the great satisfaction which he felt at the course adopted on this occasion by Her Majesty's Government.

MR. CARDWELL said, he was sure the hon. Member for Windsor (Mr. Vansittart), when he fonnd that his statement with reference to the tendency of the Colonial Governors to speculation was incorrect, would regret that he had made a statement which was calculated to produce a painful impression on those to whom it referred. The hon. Member was mistaken in one point, because he (Mr. Cardwell) had distinctly stated that the pensions would be regulated by the length of service. As to the amount, the usual mode of calculating pensions was with reference to the salary.

Resolution *agreed to.*

House *resumed.*

Resolution to be reported *To-morrow.*

Mr. Vansittart

ISLE OF MAN DISAFFORESTATION (COMPENSATION) BILL—[BILL 67.]

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Peel.*)

MR. AUGUSTUS SMITH said, that various inhabitants of the island had been wrongfully deprived of their rights. The waste lands were not a forest at all, and they ought to have been dealt with in a manner analogous to the course pursued with regard to inclosures. It had been customary to hold portions of land which were called "intacks," and which were clothed with all the incidents of personal property; but the Commissioners, being all English lawyers, thought that these intacks did not constitute a right, because they were unfenced, and the land was warned back into the forest. Some persons who had obtained an inkling of what was about to take place contrived to secure their rights by running up a slight fence, while others who did not obtain that information were deprived of long established rights. He hoped the Government would allow the whole subject to be fully inquired into, more especially as the parties who claimed this property had no one in the House to represent them. What he had hoped was, that the hon. Gentleman the Secretary to the Treasury would have agreed to refer the whole question to the Select Committee at present sitting on Epping Forest and the open spaces round the metropolis. But, as this had not been done, he should move that the order for the third reading be discharged, and the Bill referred to a Select Committee.

MR. DILLWYN seconded the Motion.

Amendment proposed,

To leave out from the words "That the" to the end of the Question, in order to add the words "said Order be Discharged," —(*Mr. Augustus Smith,*)

—instead thereof.

Motion made, and Question proposed, "That the words proposed to be left out stand part of the Question."

MR. J. C. EWART said, he had also received complaints of possible injustice. He suggested that a clause should be inserted, that if the parties on a re-hearing established their right to the land, it should be restored to them. If that were done he had no objection to vote for the third reading.

MR. PEEL said, the object of the Bill was simply to enable the Commissioners of Woods and Forests to pay out of the capital of the land revenue a sum of £2,500 towards a fund to which the commoners of the island would contribute an equal amount. That fund was to be applied to compensate parties who claimed to have a portion of the forest allotted to them in severalty, in the event of those claims being found to be well founded at the re-hearing which would take place under the Act lately passed by the Legislature of the Isle of Man.

MR. AUGUSTUS SMITH asked if this re-hearing would enable the parties to re-establish their claims to the rights of which they had been deprived, or would it only entitle them to compensation?

MR. PEEL said, the claims rejected on the first occasion would be re-heard by one of the Commissioners, and if any of the claims were allowed compensation would be given, not in land—as some of the lands had been sold—but in money. The boundaries of these waste lands had been accurately defined, and a very liberal arrangement had been made as to the rights of the commoners. The hon. Gentleman had made no objection to the disafforestation of these lands, and the feeling in the Isle of Man was in favour of it. He did not think that a Select Committee of that House was the tribunal best fitted to judge of the matter, and he hoped that the hon. Gentleman would not persist in his Motion.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read 3°, and *passed.*

TORIES, ROBBERS, AND RAPPAREES (IRELAND) BILL—[BILL 95.]

COMMITTEE.

Order for Committee read.

MR. HENNESSY said, he would explain the object of the measure. Within the last few months in Ireland one of Her Majesty's Judges, Baron Hughes, had sentenced a man for the offence of vagrancy to seven years' penal servitude. The Judge said that the poor man having been presented by the grand jury under a penal law, and having been convicted of begging, he had no option but to sentence him to penal servitude, and the man was sentenced accordingly. That took place under the 6th of Queen Anne, c. 11, being an Act for the suppression of Tories, Robbers, and Rapparees, and one of the penal laws that is still remaining on the statute book, which he now sought to repeal. The word "Tory" came into our legal phraseology about the reign of William III., but it was of still older date as applied to the Irish Roman Catholics. The usurping assembly which in the time of Oliver Cromwell called itself a Parliament took cognizance of these Tories. In the diary of Mr. Thomas Burton, Member in the Parliaments of Oliver and Richard Cromwell, he found the following record:—

> "Wednesday, June 10, 1657.—On the Motion of Mr. Downing for a three years' assessment on Ireland, Major Morgan said—'We have three beasts to destroy that lay burdens on us—1st is a public Tory, on whose head we lay £200, and £40 upon a private Tory's. 2nd beast is a priest, on whose head we lay £10; if he be eminent, more. 3rd beast, the wolf, on whom we lay £5 a head if a dog; £10 if a bitch."

The term Tory was said to be derived from "Tor," a bush, because in those days there were bush-rangers; but its real origin appeared to be two Irish words, "Tor" and "re," which were equivalent to the Cavaliers' cry of "Long live the King!" for in the days of Charles I. the Tories fought for that Sovereign. Again, in the reign of Charles II. they were brought under the notice of Parliament. In 1678 the English House of Commons committed the Secretary of State Williamson to the Tower for countersigning commissions to M'Carthy and other Irish Popish Tories. King Charles II. immediately ordered the release of his Secretary, and a serious dispute arose thereon. The King said these Roman Catholic gentlemen were without money and in great want, and that they had fought for him. However, by stopping the supplies the Whig House of Commons compelled the King to cancel the Commissions to these Tories. The first Act of Parliament relating to Tories was passed in the reign of William III., and the preamble of that statute showed that they were political in their origin. It set forth that Tories were concealed, harboured, and countenanced by the inhabitants of Ireland, and that for the purpose of settling the kingdom it was desirable to pass that penal law. The Act went on to say that—

> "Any person may be presented by the grand jury as a Tory, and if such person does not render himself to the justices within the county, he shall be proclaimed by the Lord Deputy, or other chief governor of Ireland, and shall thenceforth be convicted of high treason, and suffer accordingly."

After that statute of William III. came one of Queen Anne, and then the Act which he proposed to repeal, continuing the former Acts. In Committee he would insert an Amendment which would remove an objection taken to the Bill by the hon. and learned Member for Wexford, and prevent any useful provision being repealed.

Mr. WHALLEY said, there could be no doubt that under Oliver Cromwell's rule "the condition of Ireland" problem had been to a great degree solved, and that the prosperity of Ireland had attained a wonderful development. At no period had Ireland been more prosperous and happy, and his policy showed the true spirit in which that country should be governed. He hoped, therefore, that it was not without consideration that the Government had consented to the repeal of this Act, which was an ancient relic of that system.

Colonel DUNNE said, he believed that since the world began there had never been a more cruel Government than that of Cromwell in Ireland. He might refer to the massacres of Drogheda and of Wexford in proof of that statement. Those massacres had hardly ever been paralleled, and the government of Cromwell in Ireland could only be regarded as an unmitigated evil.

Mr. BLAKE said, it was not very long since a man had been sentenced to seven years' transportation at the Cork assizes because he happened to call begging at a stipendiary magistrate's. He thanked the hon. Gentleman for moving to repeal this Act, and he hoped some hon. Gentleman would undertake the task of endeavouring to prevent criminal justice being administered in Ireland in the present harsh and oppressive manner.

Bill *considered* in Committee.

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

BOROUGH FRANCHISE EXTENSION BILL—[Bill 32.]—ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [3rd May], "That the Debate on the Previous Question relative to the Second Reading of the Bill be adjourned till Monday next."

Question again proposed.

Debate *resumed.*

Question put, and *agreed to.*

Mr. Hennessy

TURNPIKE TOLLS ABOLITION.—LEAVE.

Mr. WHALLEY moved for leave to bring in a Bill to discontinue the taking of tolls on the turnpike roads now existing in England and Wales, and to provide for the maintenance of such roads as public highways, and for the discharge of debts due thereon by voluntary commutation.

Mr. SCOURFIELD said, there was not any provision made by the Bill for the payment of the debts due by the roads. The Bill seemed to be one to authorize the discontinuance of the payment of debts. He did not think there was any possibility to frame a Bill that could carry out these objects.

Sir GEORGE GREY said, he hoped there would be no objection to the introduction of the Bill.

Motion *agreed to.*

Bill to discontinue the Taking of Toll on the Turnpike Roads now existing in England and Wales, and to provide for the maintenance of such Roads as Public Highways, and for the discharge of the debts due thereon by voluntary commutation, *ordered* to be brought in by Mr. Whalley and Mr. M'Mahon.

ARRESTS FOR DEBT ABOLITION (IRELAND) BILL.

On Motion of Sir Colman O'Loghlen, Bill to abolish Arrests for Debt on Mesne and Final process in Ireland, and to make other provisions in relation thereto, *ordered* to be brought in by Sir Colman O'Loghlen and Mr. Hennessy.

Bill *presented,* and read 1°. [Bill 126.]

DOGS REGULATION (IRELAND) BILL.

On Motion of Sir Robert Peel, Bill for regulating the keeping of Dogs, and for the protection of Sheep and other property from Dogs, in Ireland, *ordered* to be brought in by Sir Robert Peel and Mr. Luke White.

Bill *presented,* and read 1°. [Bill 127.]

House adjourned at a quarter after Eleven o'clock.

HOUSE OF LORDS,

Friday, May 5, 1865.

MINUTES.]—Public Bills — *First Reading*— Isle of Man (Disafforestation) Compensation* (91).

Select Committee — On Public Schools * (32) [h.l.] Lord Wrottesley *added.*

Committee—Land Drainage Supplemental * (74); Local Government Supplemental * (72); Local Governmental Supplemental (No. 2) * (73).

Report — Land Drainage Supplemental* (74); Local Government Supplemental* (72); Local Government Supplemental (No. 2)* (73).
Third Reading — Common Law Courts (Fees)* (25), and *passed;* Inclosure* (64); Herring Fisheries (Scotland)* (48), and *passed.*

LEONARD EDMUNDS, ESQ.—RESIGNATION OF CERTAIN OFFICES.

THE REPORT OF THE SELECT COMMITTEE.

THE EARL OF DERBY: My Lords, seeing the noble Earl the President of the Council in his place, I wish to call his attention to a matter of some importance with respect to the Select Committee over which he has lately presided. In the proceedings of that Committee your Lordships will have observed that two divisions taken towards the latter end of the Report were taken on two distinct paragraphs of that Report. On the first of the paragraphs in the draft Report a noble Lord (Lord Taunton) moved an Amendment, which was carried by a narrow majority. Upon the second paragraph the same noble Lord moved another Amendment, which was carried by the same small majority. But in the Report as it appears it would seem that the whole of the two Amendments were consolidated into one, and that they were carried against the first paragraph of the draft Report. If that had been the case it would have made the second paragraph of the Report absurd, because it was *in pari materia*, and the only difference was as to the manner in which we should express our opinion substantially with regard to the course taken by the noble and learned Lord on the Woolsack. Our opinion was not very different with regard to the noble and learned Lord on the Woolsack; but as the Report stands it would appear that the minority appeared to object, which they certainly did not, to the declaration embodied in Lord Taunton's Amendment to the second paragraph, acquitting the noble and learned Lord on the Woolsack altogether of being actuated by any unworthy motives in the course he had pursued. We thought the noble and learned Lord on the Woolsack had committed an error in judgment, and had taken a wrong view of his duty; but both the minority and the majority were perfectly prepared to acquit him of improper or unworthy motives.

EARL GRANVILLE: I am much obliged to the noble Earl for having mentioned this subject to the House. It struck me this morning, in reading the Report, that the second paragraph, as printed, in casting an imputation upon the noble and learned Lord's conduct, was a mistake. That mistake has been clearly described by the noble Earl. I have been in communication with the Clerk of the Committee who committed the mistake, and who expresses his regret for the error. I am bound to state that the gentleman who acted as clerk discharges his duties with remarkable intelligence; but it was quite natural, from the manner in which the Amendments were put, that this mistake should have occurred. Under the circumstances, I think the best course will be to have the Report corrected and delivered in the amended form on Monday.

THE DEFENCES OF CANADA.

QUESTION.

THE EARL OF AIRLIE asked, Whether negotiations were still pending between Her Majesty's Government and the Government of Canada on the subject of the defences of Canada; and, if so, whether, after negotiations shall have been concluded, the papers relating to them would be laid before Parliament? The noble Earl said, that when this very important subject was brought at an early period of the Session under the attention of the House, the impression on his mind was that an arrangement had been made between the Government of Canada and that of Her Majesty, by which we were to undertake the erection of certain defensive works, and Canada was to undertake to find men to defend them, and also to contribute something towards the expense of constructing the projected works. It now appeared that that was a wrong impression, and that no such arrangement had been made; for since that discussion a debate on the subject had taken place in the Canadian Assembly, and no resolution was come to with respect to the works; the debate was adjourned, and he understood that two gentlemen from Canada had come over to this country to confer with the Government on the subject of the confederation of the British North American Provinces, and also to enter into arrangements with the Government, if possible, with respect to the defences of Canada. This being the case, it seemed desirable that the Government should make some declaration, not as to the amount of money to be expended on the works, or as to the points where they were to be erected, but as to the principle and basis of the proposed arrangement. From speeches made by the two gentlemen he had referred to, Mr. Galt and Mr. Cartier, and from the declarations made in the Parliament of this country, it appeared that Canada and the British Government were very much of one mind in respect to this matter, and he was of opinion that nothing could be more satisfactory than the tone of the speeches of Mr. Galt and Mr. Cartier, who declared that Canada ought to bear a considerable share of the burdens of her own defences. In such a case he thought that the Government were bound to recognize the obligation of standing by Canada in the event — which he trusted might never happen—of Canada being invaded. Other speeches had been delivered in the Canadian House of Assembly by persons who thought that it was no part of the duty of Canada to take any of those reasonable precautions which had been suggested, and that if war broke out the whole burden should be assumed by the mother country. If it were clearly the desire of the Canadians to remain connected with this country, and to take their fair share in the defence of Canada if it were attacked or invaded, then it would be the duty of this country, undoubtedly, to render them assistance ; but if such was not the wish of the Canadian people then it could not be possible for this country to defend Canada ; and if it were possible it would clearly not be their duty to burden themselves with the expense of defending a country so devoid of public spirit. He wished that those who were desirous to throw upon the mother country the whole burden of the defence of Canada would profit by the example of a similar case—namely, that of the small but flourishing Kingdom of Belgium. The great Powers of Europe had guaranteed the neutrality of Belgium and had entered into a solemn pledge to assist her in the event of her being invaded. But Belgium did not rely entirely on these guarantees. She maintained an efficient army, respectable in number considering the smallness of her population. She had also expended large sums of money upon the fortifications of Antwerp. She did this, knowing that if she had not an army and fortifications sufficiently strong to stay the progress of an invader in the first instance, it might so happen that the liberties of Belgium might be overthrown before any of the great Powers could come to her assistance. He need hardly say that this argument applied with still greater force to Canada than to Belgium, separated as she was by 3,000 miles of ocean from the mother country, end considering that during a great portion of the year she was inaccessible to the fleet of Great Britain. He should like to be allowed to say a few words as to speeches which from time to time had been delivered in their Lordships' House, proposing to abandon altogether the defence of Canada as hopeless against invasion, and to throw the whole burden of defence upon the Canadians themselves. In a discussion which took place in that House last Session, on the affairs of New Zealand, some noble Lords, not satisfied with telling the colonists of New Zealand that they must not expect aid without submitting to a certain heavy impost, went on to tell their Lordships that Canada could hope for no assistance from this country in case of invasion unless she submitted to an expenditure far beyond her ability. He (the Earl of Airlie) happened at that time to be going to Canada, and actually sailed in the steamer which conveyed the newspapers containing those speeches ; he had, therefore, the best opportunity of witnessing the effect produced both in Canada and the United States upon those speeches being read by the populations of both countries. In Canada it was quite clear that the people became disheartened. They said that they were anxious to maintain their connection with Great Britain, but they saw by the language lately held in the House of Lords that the mother country was only anxious for an opportunity to turn them adrift, and was looking out for a reasonable excuse for so doing. The effect in the United States was worse, if that were possible. The reports of those speeches were re-printed in the American newspapers, accompanied with exulting comments, the purport of which was that the time was when England stood by her colonies to the last, but that time had gone by, and that it was quite evident that England would now do anything to avoid war. It was most painful for him to think that the texts for comments of that kind should have been speeches delivered in their Lordships' House. Their Lordships had further learned that speeches had been made elsewhere—he supposed he must not say where—in which people were told that if Canada were to be defended at all the best mode of doing so would be to withdraw the British troops and to seek for some vulnerable point elsewhere to attack the invaders. It was not difficult to foretel the construction which would be put abroad upon speeches of that kind. It would be said that after the withdrawal of the British troops people who were of this opinion would be apt to discover that it would be difficult to reach the vulnerable points of the enemy, and that the best plan would be to leave Canada to its fate. It was not by so fainthearted a policy that this great Empire had been founded, nor did he think that such speeches tended to maintain a friendly understanding with the United States. Now, in reference to the United States, he believed that the Government of that country was sincerely desirous of maintaining friendly relations with us; and he had seen with much satisfaction the address of the new President to Her Majesty's representative at Washington. Nevertheless, we knew very well that there was a party in the United States who avowedly were unfriendly to us; and it appeared to him that the speeches to which he had referred could not fail to have the effect of strengthening the power of that party, and of greatly embarrassing the Government of the United States, however friendly it might wish to be towards this country. In mentioning the United States Government it was impossible not to revert, at least in thought, to him whose career had been cut short by the atrocious crime which had excited such horror and detestation in this country—a sentiment fully reciprocated in Canada, where the Governor General had ordered that the flags should be hoisted half-mast high at all the military stations, and there were general demonstrations of sympathy among the Canadians. In New York the sympathy shown by Canada had been much appreciated, and it was some consolation to find that the sympathies of the whole Anglo-Saxon race were called forth by this melancholy event. He rejoiced at this wide-spread expression of sympathy, not only because as an Englishman he set the highest value upon the friendship and alliance of the United States and thought that war between the two countries would be disastrous, but because he had himself received so much kindness at the hands of Americans, and had seen so much in the national character which was worthy of respect, that he could not but feel a kindly interest in the welfare and happiness of this great people. As to the civil war, terrible as its effects had been, it had drawn out in strong relief the great qualities of individuals on both sides; and it must be a source of heartfelt satisfaction to see that by its means they were likely to see an end of the institution which had been a source of injury to the white race, while it had depressed and degraded the black population. Nobody supposed that the war was undertaken in the first instance for the abolition of slavery, but nobody could doubt that that would be the result of the war. Notwithstanding that great and good man the late President of the United States declared in the earlier period of the war, on more than one occasion, that he had no power under the constitution to interfere with the institution of slavery, yet having, in the first instance, adopted the principle of emancipation, he felt bound in conscience and good faith to adhere to and carry out that principle to the utmost extent. It was not in keeping with the dignity of this country nor the honour of Canada that that great colony should be dependent for its security upon the moderation and forbearance of any foreign Power. This was a favourable time for taking measures for defence, for we could set about it without being liable to the charge of acting under the influence of panic; and he hoped the Canadian delegates, who were now here would, upon their return home, succeed in impressing their countrymen with the absolute necessity of co-operating with this country in the great work of placing the defence of Canada, both with regard to men and works, in a satisfactory position. He desired to ask, Whether negotiations were still pending between Her Majesty's Government and the Government of Canada on the subject of the defences of Canada; and, if so, whether, after the negotiations had been concluded, the papers relating to them would be laid before Parliament?

EARL DE GREY AND RIPON said, he quite agreed with his noble Friend (the Earl of Airlie) in his estimate of the importance of the question to which he had adverted, and it was for that very reason that he hoped his noble Friend would forgive him if he was unable to reply in detail to the questions which he addressed to him. Four members of the Canadian Administration had recently arrived in London for the purpose of consulting with Her Majesty's Government as to various questions connected with the North American Provinces, and especially as to those questions with regard to the defence of Canada which had engaged the attention of Parliament during the present Session. It must be obvious to their Lordships that it was not desirable, at a period when those communications had commenced and were still going on, that Her Majesty's Government should enter into any details with regard to a matter which was still the subject of negotiation. All he could say then was that these negotiations were still going on, and that the representatives of the Canadian Government who had come over to this country appeared to be fully impressed with the magnitude and importance of the question and the duty which lay upon Canada with regard to it. When those negotiations were brought to a close it would be the duty of Her Majesty's Government to take an early opportunity of informing Parliament of the nature of those communications and the results at which they had arrived.

SELECT COMMITTEES.—RESOLUTION.

Earl STANHOPE said, he had a Resolution to move, the object of which was to give to that House some control over the appointment of its own Committees—for at present no such control existed. In the House of Commons a similar want had been felt for many years, but it was at last fully and completely removed. He begged to move —

> "That with regard to Select Committees of this House, other than those on Private Bills, Notice of any Motion for naming the Lords to serve on such Committee, or for adding any Lord to such Committee, or for substituting any other Lord for any Lord named on such Committee, shall be given and entered among the printed Notices for the Day or previous to the Day on which such Motion shall be made."—(*The Earl Stanhope.*)

Motion *agreed to.*

CASE OF COLONEL JOHNSON.

OBSERVATIONS.

Earl VANE, in rising to call the attention of the House to the charges brought against Colonel Johnson, a magistrate of the county of Durham, said, that he regretted the absence of the noble Earl (the Earl of Malmesbury) who on a former occasion, in moving for correspondence on the subject of Mr. Dockrall's detention in the lunatic asylum, had, he ventured to say, adopted against Colonel Johnson an *ex-parte* statement. He was quite sure that no one in such a case would be more ready to retract the charges he had made than his noble Friend. All men were liable to errors of judgment, and he did not mean to say that his friend, Colonel Johnson, had not been guilty of an informality in signing the committal of the late Mr. Dockrall to an asylum without having seen him on that particular occasion. But Colonel Johnson, in order to show how much he regretted that informality, was prepared to indemnify the unfortunate man for what he had done, for he offered a sum of £80, £30 as the costs of the suit which had been undertaken, and £50 for himself. The charge which his noble Friend had brought against Colonel Johnson was this—that he had sent to the lunatic asylum of Sedgefield Mr. Dockrall, a man who was perfectly sane, and who ought never to have been sent to such a place at all. Now, Colonel Johnson had known this man for years; his family were in the habit of dealing with him, and the unfortunate state of Dockrall's mind was notorious, not only to Colonel Johnson but to every individual in the neighbourhood. But the worst part of the charge was founded upon a letter from the father of the man—namely, that Colonel Johnson had entered into a conspiracy with the wife of Dockrall, who was a bad woman, in order to keep him in prison. He knew Colonel Johnson to be an honourable man, and a magistrate of thirty years' standing, and their Lordships must agree that he was much aggrieved by the stigma cast upon him. At the last Quarter Sessions for Durham he (Earl Vane) moved a resolution, which was carried by the whole Bench, affirming that, however much the Bench might regret the informality which Colonel Johnson had committed, they were satisfied that he was only actuated by the kindest motives towards the unfortunate man.

The LORD CHANCELLOR said, he would merely observe that, as there was a pending action yet undisposed of against Colonel Johnson, he must wait until that was decided before he could take notice of the matter.

Lord RAVENSWORTH said, that having been acquainted with Colonel Johnson for forty years, he would affirm that he was a most honourable man both in his private and magisterial capacity, and he must express his belief that he had been actuated in this matter by the best and purest motives. He trusted that when the pending action should be disposed of the Lord Chancellor would consent to lay the correspondence before their Lordships, in order to clear the character of Colonel Johnson.

Lord CHELMSFORD thought that his noble and learned Friend must be under some misapprehension in regard to the action said to be still pending. If he understood aright, an action of tort had been brought against Colonel Johnson—an action to recover damages. Such an action, however, died with the person, and could not be revived by the executors, and as this unfortunate man was dead, there could be no pending action at the present moment.

The LORD CHANCELLOR said, that in certain cases the representatives of the deceased would be entitled to revive the action for recovering the expenses. He was informed that a suit was now pending in the Court of Probate to determine to whom letters of administration should be granted. If they were granted to the father, the action might be revived. At present, therefore, he did not think it proper to take any proceedings to investigate the charges against Colonel Johnson.

House adjourned at a quarter past
Six o'clock, to Monday next,
Eleven o'clock.

* * *

HOUSE OF COMMONS,

Friday, May 5, 1865.

MINUTES.]—Supply—*considered in Committee* —Committee—R.P.

Ways and Means — *considered in Committee* — Resolutions [May 4] *reported.*

Public Bills—*Resolutions in Committee*—Colonial Governors (Retiring Pensions) *reported;* Pilotage Order Confirmation ; Pier and Harbour Orders Confirmation.

Ordered—Colonial Governors (Retiring Pensions); Forfeiture for Treason and Felony ; Pilotage Order Confirmation ; Pier and Harbour Orders Confirmation.

Second Reading—Writs Registration (Scotland) [41] [The Lord Advocate].

Committee — Police Superannuation (*re-comm.*)* [109].

Report — Police Superannuation (*re-comm.*)* [109].

Considered as amended—Police Superannuation (*re-comm.*)* [109] ; Bank Notes Issue* [123] ; Tories, Robbers, and Rapparees (Ireland)* [95].

WORKHOUSE NURSES.—QUESTION.

Mr. ARTHUR MILLS said, he rose to ask the President of the Poor Law Board, Whether it is the intention of the Government to adopt the suggestions contained in the evidence given before the Select Committee on Poor Relief, respecting the employment of trained and competent nurses in workhouses ; whether it is intended to carry out the recommendation embodied in the Report, that quinine and other expensive medicines should be provided, when required, by the guardians ; and whether the Articles of the Consolidated Order now in force respecting the voluntary visitation of the sick poor present any practical obstacle to those who may desire to visit the inmates of union workhouses ?

Mr. C. P. VILLIERS, in reply, said, he believed the evidence to which the hon. Member referred was that of a lady, Miss Twining, who appeared as a witness before the Poor Law Committee. She referred to the great want of improvement in the system of proper nurses for the sick poor in the workhouses of London, and stated that in most of these workhouses there was no such attendance at all. Now, he found that this was an overstatement of the case. The Metropolitan Poor Law Inspector had always urged the guardians to employ competent persons as nurses for the sick, and the fact was that upon inquiry, which he (Mr. C. P. Villiers) had directed in consequence of this evidence, he found that there were no less than ninety-three paid nurses in the different houses in London, and that out of the thirty-nine workhouses there were only eight without them. There was, however, great reason to doubt whether they were efficient for the purpose for which they were employed, and there was no doubt a great difficulty in proving who were competent persons ; but, in consequence of communications lately received at the Poor Law Board from Miss Nightingale, who superintended establishments for the purpose of properly training nurses, and who was now taking much interest in the state of these houses, there was every reason to suppose that well qualified persons could be obtained, and in number equal to the demand for them, should the guardians be willing to engage them. The Poor Law Board had already issued a Circular to the guardians of all Unions and Parishes in London urging them to employ such persons, together with proper assistants, and it was to be hoped that they would now exercise their discretion in doing so. With respect to the supply of expensive medicines, such as quinine, &c., which the hon. Member inquired about, the Poor Law Board had issued a Circular to all the unions in England and Wales on this subject, suggesting the propriety of their making arrangements with their medical officers forthwith for this purpose, and he was glad to say that many unions and Parishes in the Metropolis did supply those medicines and found no difficulty in doing so. With respect to the third question, he would read the Article to which the hon. Member referred, by which he would see what was allowed in this matter—

> "Article 118. Any person may visit any pauper in the workhouse, by permission of the master, or, in his absence, of the matron, subject to such conditions and restrictions as the guardians may prescribe."

Under this Article the guardians might permit the visit of any person for any lawful purpose, to any sick pauper; this Article also allowed any pauper in the workhouse to receive the visit of a stranger, subject to such restrictions as the guardians might think fit to impose. The Poor Law Board imposed neither restrictions nor conditions, and therefore the rules and regulations of the Poor Law Board presented no obstacles to those who might desire to visit the inmates of workhouses.

THE ZOLLVEREIN.—QUESTION.

Mr. W. E. FORSTER said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the reduced Tariff on British goods in Prussia and the Zollverein will come into operation on the 1st July next?

Mr. LAYARD said, in reply, that in consequence of the Treaties between France, Prussia, and the Zollverein States a considerable reduction would take place in the Zollverein Tariff; that reduction would extend to all countries, England included; and that would be the case whether the treaty between this country and the Zollverein should be concluded before the 1st of July or not. He hoped, however, that would be the case.

ENDOWMENTS FOR EDUCATION— MINUTE OF COUNCIL.

Mr. H. A. BRUCE said, that in laying a Minute of the Council of Education upon the table of the House, it might be convenient if he made a short explanatory statement. The House was aware that at the time when the Revised Code was passed, no change was made with respect to endowments. The result was that if an endowment did not provide more than 30*s*. a head upon the average attendance of the children in the school, no deduction was made from the annual grant. It was consequently found that in many cases payments in excess of the actual expenditure of schools to the extent of 20*s*. or 25*s*.

Mr. AUGUSTUS SMITH said, he rose to order. He wished to know whether it was competent for the right hon. Gentleman to make a statement when the papers had only just been laid upon the table of the House.

Mr. SPEAKER said, there was nothing out of order in the course which the right hon. Gentleman was pursuing. He was moving that the Minute be laid upon the table. He understood that the right hon. Gentleman purposed to make a statement not of a nature to invite discussion at present, but calculated rather to furnish the House with information which might be available for a future occasion.

Sir JOHN PAKINGTON said, that he also rose to order. He was aware that the right hon. Gentleman had fairly enough given notice on the previous evening of the course which he intended to pursue, and that notice was, no doubt, recorded in the newspapers, but it was impossible for them to obtain their information from the newspapers. When he heard of the intentions of the right hon. Gentleman, he looked upon the Votes without being able to discover any notice of the course which the right hon. Gentleman proposed to adopt. He thought it very desirable that explanations should be given, but he submitted, at the same time, that it was not desirable that statements should be made without there being any opportunity afforded for answer or debate.

Mr. H. A. BRUCE said, he had no desire to enter into any explanation contrary to the wish of the House, but if he did not do so, the only course which remained open to him was to lay the Minute on the table of the House without any explanation whatever, and to leave to some other hon. Member the task of raising a debate upon it at some other time. He had adopted the course which he was now pursuing because he was informed by the authorities that it was not competent for him to place the notice upon the Orders of the Day. If it was not the wish of the House that he should proceed with his statement, he had no desire to do so. His only object was to give to the House that information which was often not sufficiently afforded by the Minutes themselves. By the present Minute it was proposed to extend to all schools that concession which was made by the Minute of March, 1864, to rural schools alone. A rural school was defined to be a school—

Colonel FRENCH said, he rose to order. He objected to the right hon. Gentleman making any statement, as no notice had been placed upon the Votes. The right hon. Gentleman, by the course he had adopted, was anticipating other Motions which were coming on that evening.

Mr. SPEAKER said, the fact that the paper was laid upon the table of the House by command caused a distinction as to the necessity of giving notice. The right hon. Gentleman, however, had said that he had no desire to proceed with his statement if it were contrary to the wish of the House.

Sir LAWRENCE PALK said, he wished to know, if the right hon. Gentleman proceeded with the statement, whether it would be competent to raise a debate in reply to the information given.

Mr. SPEAKER said, that if the right hon. Gentleman concluded with a Motion that the papers should lie upon the table of the House the subject would be open for debate.

Mr. H. A. BRUCE said, that he had no desire to proceed with his statement unless such a course were unanimously approved by the House. He should, therefore, content himself with laying the Minute upon the table.

SUPPLY.

Order for Committee read:—

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SCIENCE AND ART COLLECTIONS.

OBSERVATIONS.

Mr. GREGORY said, he rose to call the attention of the House to the condition into which our science and art collections had fallen. He thought no occasion could be more appropriate than the present to endeavour to rescue these collections of art and science from the chaos and confusion in which they had been so long involved, and that the present time was well suited for arriving at some final decision with regard to the future management of these collections. They were near the end of their days, they were in the placid humour which gilds the autumn of life, the Chancellor of the Exchequer had exhibited a goodly balance, no political conflict was impending, but they might be engaged next year in some party questions, which would altogether preclude their dealing satisfactorily with this subject. He must say that nothing could be more illogical or more irrational than the manner in which we had hitherto treated these collections. He could perfectly well understand a Government arriving at the determination to have nothing more to do with those works, to disperse the pictures in the National Gallery to sell the treasures contained in the British Museum and expel Mr. Cole from Kensington to wander through the world with his own circulating collections. No doubt such a course would be profitable, because there was not a petty State throughout Europe which would not undergo considerable sacrifices in order to purchase and worthily to house portions of those inestimable treasures of art so unaccountably neglected by ourselves. Personally he should regret exceedingly the adoption of such a course, but it would be at least logical. We took, however, quite a different course. We had been excavating the great plains of Assyria; we were ransacking the tombs of Rhodes; we transport the Mausoleum bodily to Bloomsbury; Professor Owen buys fossil caves in block, and birds, beasts, and insects come trooping into the Museum just as we see them in old pictures marching into Noah's Ark. Sir Charles Eastlake was going abroad every year to buy beautiful pictures, which were hung where nobody could see them; Mr. Robinson and Mr. Cole were annually purchasing objects of art, which, in many instances, were stowed away in places of Cimmerian darkness, more adapted to the vision of owls and bats than to the optics of creatures accustomed to daylight. Our galleries had now become mere accumulations of objects, without order, system, or classification, and in many respects without even light. Whose fault was this? The Government would, no doubt, lay the fault upon the House of Commons; but, for his own part, he would not scruple to say that the fault in a great measure was that of the Government, and he would proceed to prove his statement. Every now and then the Government undoubtedly did make a spasmodic effort to do something with these collections, but so unpopular and injudicious had been their proposals—as in the case of the Exhibition Building at Kensington—that the suspicions of the country were always aroused on these occasions, and it would require a great effort on the part of the Government to overcome these suspicions. He would now consider the condition of the National Gallery. Last year the proposal was made by his right hon. Friend the Chief Commissioner of Works that the collection of pictures in the National Gallery should be removed to Burlington House. On that occasion he supported the proposal of his right hon. Friend, because he regarded it as having been well and carefully considered. The House of Commons, however, rejected the proposal by a considerable majority. He believed the causes which influenced that rejection had been misunderstood. He had seen it stated in the newspapers, and had frequently heard in the course of conversation, that the House of Commons, and particularly that section of the House sitting below the gangway on the side where he usually sat, were so niggardly about our national collections, so indifferent to voting the public money, that they were careless whether more pictures were bought, or what became of those which were already in our possession. He believed that to be a great mistake, and that that particular section of the House, although embracing some of the most vigilant guardians of the public purse, would have been exceedingly glad to see some final decision with reference to the National Gallery arrived at, and that they would have cordially voted the money for the purpose for which it was demanded if they had believed the proposed settlement would be final and satisfactory. He took some pains last year to ascertain the real causes which influenced the rejection of the proposal of his right hon. Friend. First, there was the very able speech of the noble Lord the Member for North Leicestershire (Lord John Manners); then there was the feeling that we were not justified in handing over the present building to the Royal Academy, in addition to which it was thought by many that the present site was the best in London. But the real cause of the adverse Vote of the House of Commons was that a pledge was given in 1860 by Her Majesty's Government when they obtained a Vote of £18,000 for alterations in the National Gallery, that the National Gallery should be continued in its present site. For that he blamed the Government. They knew in 1860 just as well as now exactly how the matter stood, and that the system of patchwork which they proposed would be useless as a permanent arrangement, and that it would hardly provide at that time for the pictures actually within the building. They knew that while the accommodation would be barely sufficient for the pictures already in Trafalgar Square, there were other pictures at Kensington, the drawings of the ancient masters in the British Museum, and the pictures in the National Portrait Gallery, which also required accommodation. Here, then, was an instance of the hesitating, injudicious action of the Government. He said that the Government were to blame, because if they had put forth their strength, and had come forward with a well-arranged proposal for the extension of the National Gallery, the House would willingly have voted the sum that might be necessary to carry it out. The proposition, however, that they did make was in his opinion no better than pitching £18,000 into the fire because the requisite accommodation was not secured, and the internal alterations that were proposed rendered the National Gallery still more mean and discreditable than it was before. Bygones, however, were bygones. One thing was clear, that the House of Commons had decided that the National Gallery should remain at Trafalgar Square, and he was glad to find that his right hon. Friend had with good sense accepted his defeat upon that occasion. He hoped that the Government would in other matters connected with art show equal deference to the opinions of the House of Commons. The Government having made up its mind as to the site, should also decide at once as to what collections should be housed within the new building. This was all important. When we once had a clear and definite idea of what was to be provided for, it was easy to arrive at conclusions as to the probable rate of increase, and for the future effectual means might be taken to guard against the system of patchworks and makeshifts which had hitherto prevailed, and which was as expensive as it was discreditable. He would venture to suggest what he thought should be received into the new buildings. In the first place, he understood that the Raphael Cartoons had been removed from Hampton Court to Kensington. He would submit that the proper place for those cartoons was in Trafalgar Square among the ancient masters, rather than among specimens of modern art, and he was sure that Her Majesty, with her usual gracious condescension, would not refuse her assent to that arrangement if it should be the wish of the House of Commons. Then, as to the drawings of the ancient masters now in the British Museum, he thought nothing could be more monstrous than the present system. The finished pictures of the great masters were in the National Gallery; but if any one wanted to study the earliest ideas and modes of drawing of those great men, which was more essential to a young artist than almost anything else, he would have to proceed to a confined room in Bloomsbury, and there turn over folios of drawings to be enabled to make the comparison he desired to make. There were at this moment at Bloomsbury drawings of pictures which were to be found in the National Gallery, so that a student had to carry in his mind the efforts of the pencil to compare them with the finished effects of the brush—a necessity that did not occur in any other country in Europe. Their removal was part of the recommendation of the Committee of 1860. They would require very little room, as excessive light would be rather injurious to them than otherwise. He then came to the modern pictures at Kensington, and he thought, when they were about to provide a new National Gallery, some decision should be come to with respect to those pictures. He believed that it would be most unwise, as well as most invidious, to admit the pictures of living painters into the National Gallery at Trafalgar Square. It would be unwise, because it would create an enormous pressure upon the space of the Gallery from the numerous presents that would be made. It would be unwise, because it might happen that some living artists might be more than duly represented as regarded the history of art in all ages and all countries, and because many pictures might obtain a temporary reputation which the judgment of posterity would not ratify. An invidious task of rejecting pictures would also be imposed upon the Director of the National Gallery, which ought not to be imposed upon any one. He found a confirmation of the views which he entertained upon the subject in the 11th Report of the Science and Art Department, in which Mr. Redgrave said—

> "The practice followed in France might afford a suggestion towards the solution of these difficulties here. The works of the great living masters were placed in the Luxembourg, where they remained until time and death and the judgment of posterity entitled them to removal to the Louvre."

An arrangement might be adopted to keep at Kensington all works of modern painting which may be acquired by the nation. After the death of the painter selections from his works might be made and transferred to the National Gallery. There was another point to which he must refer, although he was aware that it was not within the right hon. Gentleman's Department. He referred to the number of duplicates of works of art in our possession in the National Gallery. As an instance, he might refer to the well-known picture, by Leslie, of "Uncle Toby and the Widow Waddell," of which there were three or four reproductions. There were National Galleries in Dublin and Edinburgh, and as Scotland and Ireland had contributed freely and graciously to the national collections, he thought that those specimens of art which were not wanted in London might be transferred to the galleries of those cities. The same remark would apply to duplicates in the British Museum and the South Kensington Museum. Then, as to the National Portrait Gallery, he thought that also should be transferred to Trafalgar Square, although he was aware that the pictures in that collection had not been selected upon principles of art. Still, there would be an advantage in placing that collection under the same roof as the National Gallery, and the Resolution by which it was constituted distinctly affirmed it was to have its place there. On the 4th of March, 1856, Lord Stanhope moved an Address—

> "That Her Majesty would be graciously pleased to take into Her Royal consideration, in connection with the site of the present National Gallery, the practicability and expediency of forming by degrees a gallery of Original Portraits, such Portraits to consist, as far as possible, of those persons who are most honourably commemorated in British History as warriors or as Statesmen, or in Arts, in Literature, or in Science."—[3 *Hansard*, cxl. 1780.]

And they had been annually voting, ever since, £500 on the strength of that future connection. There were other questions of a gallery for objects upon loan for first-rate copies of pictures which never could be purchased, and for other purposes, upon which he should not enter. There was one point upon which he desired to lay stress. He found that an opinion prevailed that if the Royal Academy was turned out from the present building, there would be ample space to house the national collections. But it was easy to show by figures that this was not so. In the National Gallery there were 950 linear feet of wall space adapted for hanging pictures, and in the Royal Academy there were 750 feet, making a total of 1,700 linear feet. At this moment the nation owned 750 pictures, and according to the calculations of those who had charge of large collections, three feet of linear space was the average space required for each picture. There was, therefore, a deficiency in our available space of 500 linear feet, even if we had the whole building in our hands. He was told that the Turner pictures, if properly exhibited, would take up the whole space occupied by the Royal Academy. The annual average increase in the number of our pictures was thirty-five, requiring about 100 linear feet, and in the course of seven years we should require a space nearly equal to the Royal Academy, if only for our accessions. The right hon. Gentleman, therefore, had taken a wise course in buying up the ground in the rear, and he trusted he would bring forward a Vote to commence building immediately, taking in the ground occupied by Dukes Court; otherwise, considering the time which would be necessary, the eyes would grow dim, and the faculties of Gentlemen present would fail them before they saw the pictures of the nation properly housed. He thought the Royal Academy ought to have due notice. As far as his own wishes and feelings were concerned he was sorry to see the Royal Academy separated from the National Gallery, but, as that was to be, he hoped the Government would deal with the Royal Academy in a liberal spirit. The Commission of last year had borne witness to the valuable services which the Royal Academy, since its institution in 1768, had conferred on the country, and Sir Robert Peel and Earl Russell had also expressed their opinions that it was to that body that the foundation of a National School of Painting was in a great degree owing. He had no adverse criticizm to make upon the management of the National Gallery. The Government had done wisely in putting it into the hands of the ablest man in England—Sir Charles Eastlake—and he was glad the trustees had the good sense to work harmoniously with him. It was owing to the standard which Sir Charles had set up that we had from small beginnings, in a few years, acquired a National Gallery which, as far as Italian art was concerned, was as instructive and as varied as any collection in the world. He felt proud of this noble collection, and proud that we had in Sir Charles Eastlake an Englishman with whose taste and knowledge of Italian art hardly any foreigner professed to vie; but he felt humiliated when he saw the condition in which these pictures were—different schools mixed up with different schools, and various epochs thrust together without order and without sequence solely from want of room. It was perfectly astonishing to foreigners when they remembered at what a large cost of money many of these grand works of art were obtained, they came to the conclusion that the English mind was unable to appreciate the advantage and the increased interest conferred by a proper system of classification and exhibition. One of them once said to him, "You English seem to have enormous appetites, but very little digestion." As to the lamentable condition of the British Museum, he had so often brought it before the House that he was afraid to trespass again on its patience. It was enough to say that the whole system of arrangement was as bad as bad could be, and that the system of administration was even worse than the arrangement. He did not speak of the library department, which was an honour to the country and to the energy and genius of Mr. Panizzi; but as to the other departments, hon. Members need only go there to have the most conclusive evidence of their own eyes. On entering, the visitor was struck with the curious penthouse in which were crowded and hidden from view the marbles of the Mausoleum, of Branchide, of Cyrene, and other interesting objects of art. If you went upstairs to the Mammalia Room, you might see the heads and tails of certain animals, but he defied any one to see the bodies. If you went into the insect room, you would be glad to get out of it, so dark, dingy, and stuffy was it; and if you asked to see a specimen, ten to one but you would be told that it was shut up in a box for want of space to exhibit it. These were not, however, his chief complaints. What he did remonstrate against was the improper arrangement of the great department of antiquities which was far and away the most extensive, complete, and instructive in the world. If there was one thing into which of late years ideas of reform have entered more than another, it was in the conception of what a proper museum ought to be. Formerly a museum was a kind of strange old curiosity shop in which curious odds and ends were collected and arranged without any definite object. But now all this was changed. The object besides amusement, and far more than amusement, was instruction. It was intended for a different class than mere idle loungers, and for this purpose correct classification was essential. How, then, did we classify this great collection, and how did we instruct by means of it. In going through the British Museum the visitor first finds himself in the midst of a collection of Roman busts and inscriptions; he then passes into the end of a hall filled with Greek and Roman sculpture; thence he passes by Assyrian bulls into an Egyptian hall, and out of it into Assyrian bas-reliefs. No possible jumble could be more incongruous and grotesque. Mr. Oldfield, whose taste, learning, and accuracy were well known, proposed to the Committee of 1860 a most elegant, comprehensive, and yet inexpensive plan to do away with all these incongruities, and that for the future the antiquities should be arranged systematically and chronologically. The visitor should enter at the earliest period, first through Egyptian halls, then to Assyrian, and early Greek, the great works of Phidiac forming the centre of the whole, and from them to Etruria and Rome. Mr. Oldfield's plan was carefully sifted by professional authorities. The Member for Bath (Mr. Tite) signified his complete approval of it, and the Committee recommended it. The great objection which he entertained to the removal of the natural history collections was this—that instead of carrying out this systematic, chronological, and instructive arrangement it was intended, when the natural history collections were cleared out of the upper rooms, to have a wretched kind of avoirdupois arrangement by which all the heavier articles are to remain on the basement, and the lighter objects are to go upstairs. Nothing could be more mean or disreputable than such an arrangement. He believed it would be generally admitted that all the collections in the British Museum ought to be kept together. But the system of administration by trustees was radically wrong. From the evidence given before the Committee of 1860 and other information on the subject, he believed there would be no difficulty in retaining the collection on the present site and establishing a better system of administration. The Museum ought to be divided into three departments—the library, antiquities, and natural history—with a head to each, responsible for his own department, and responsible to a Minister who should answer in that House for the management of the whole institution. But he was sure that if the House allowed a separation to take place, they would never allow it to take place with a system of trusteeship such as that which was at present attached to the British Museum. He must say that in the case of the British Museum, as well as in that of the National Gallery, the Government was responsible for the existing position of affairs. For seventeen years remonstrance after remonstrance had been made to successive Ministers for more space. The Committee of 1860 made a recommendation which would have involved but little expense, which, he believed, would have been accepted by the House of Commons, and which would have met everything. It proposed that the whole block round the museum should be secured, and that according as additional space was required portions of the new ground should be taken up. But the Government did not adopt the recommendation of the Committee. Instead of that, in 1862 they brought in a Bill to remove the natural history collection—to remove certain portions of the collection now in the British Museum—and that Bill was rejected by a large majority. In 1863 they proposed that the Exhibition Building at South Kensington should be purchased to accommodate a portion of the national collection, and on that proposition they were beaten by a still larger majority. The fact was that the Government had brought forward nothing but unpopular schemes in connection with that subject, and it was no wonder that such schemes had not been accepted by Parliament. It was they, however, and not the majority of the House, who were the obstructives. The whole weight of opinion was against removal. It was the opinion of the Standing Committee of the Museum—he did not say the trustees, because the Committee had been overruled by Government *ex-officios*—that the collection might remain where it was at present. A paper signed by all the scientific men of England, with scarcely an exception, endorsed that view; the Committee of the House held the same opinion; yet, in spite of all that, the Government continued to propose measures adverse to the views of such competent authorities. He wished that every hon. Member of that House would take the trouble of reading two letters which had appeared in *The Times* on the 6th and 7th of October, 1863. [Who wrote them?] He did not write them; but he had read them, and he could say that they were most admirably written.

Evidently they were written by a gentleman who had the whole subject at his fingers' ends. He gave chapter, verse, and figure for every department and every sub-department in the great collection. He showed that there was ample space where the Museum was at present, and that for a very small outlay space could be provided for these various collections. He ventured to say that if hon. Gentlemen read those letters they would say that those who had opposed the separation had not got the worst of it in argument. Having occupied so much time he would defer his observations with respect to Kensington Museum to a future day. He was perfectly aware that the subjects he had brought forward were subjects every one of which would require an evening to itself, if it was to be properly discussed, and he was equally aware that he was obnoxious to the reproof that these questions might have been raised upon the Estimates ; but they knew how haphazard the estimates were, and how impossible it was for Gentlemen who took the greatest interest in questions connected with the Estimates to be present at the proper time to discuss them. He did not wish to approach the subject in a fault-finding disposition, but only to urge the Government to do something in the matter. He had, therefore, brought this question forward in detail, being most anxious to forestall the action of the Government, and he was convinced that if the Government would only incline a little to public opinion and a little to the opinion of the House of Commons, they would find Parliament disposed to act with every generosity towards them in their endeavour to redeem our national collections from the state in which they were—a state which was a discredit and a reproach to the wealth, the character, and the intellectual eminence of England.

Mr. COWPER said, he was glad to find that the hon. Member who had just spoken had taken a comprehensive survey of the principles upon which our national collections of art and natural history should be dealt with. He trusted the question would now meet with the earnest attention of the House, and that the tendency to witticisms and levity which had so often characterized the discussion of the subject would be laid aside, and that the House would assist the Government in their endeavour to give ample accommodation to our art collections. He was sure the House would adequately and fully represent the feelings of the country in so doing. The fact that no less than 11,000 persons visited the British Museum and 10,000 the National Gallery in a single day showed how popular those institutions were with the lower classes, besides instancing the good effects they had had in inducing a just appreciation of art among the people. The hon. Member had described in glowing but not in exaggerated language the deplorable state to which those collections were reduced for want of sufficient space for their accommodation. The hon. Member had truly described those collections as worthy of any reasonable expenditure, and no one would grudge the money necessary for their accommodation, it should be remembered that England possessed the two greatest works of art in existence in sculpture and in painting—namely, the Elgin Marbles and the Cartoons of Raphael. But the hon. Member, while lamenting that so much time had been lost in providing suitable accommodation for those collections, had adopted the old cry and the vulgar error of laying the whole blame upon the Government. As to the delay that had arisen from the rejection of the proposal of the Government last year, his hon. Friend had expressed the opinion that in that instance they were right. But the real reason for the delay was that two alternatives on behalf of which a good deal might be said had been under consideration for many years, with regard to both the National Gallery and the British Museum. The first proposition was to improve and enlarge the existing buildings, and the second to erect new buildings on different sites. The advantages of the latter alternative in the case of the National Gallery were justly obvious. The present National Gallery having been built twenty-five years ago, at a time when the best arrangement for the exhibition of pictures was not understood, was a very inferior building for the purpose to which it was applied. It was very inferior to any building that an architect would erect for the purpose at the present day. When compared with the exhibition buildings at South Kensington in 1862, with the exhibition buildings at Manchester or Dublin, every one must admit that the rooms of the present National Gallery were very inferior. He was one of those who were desirous of seeing the national pictures exhibited in rooms erected in the best possible manner for their being classified and seen. Of late so much experience had been gained in the method of building picture galleries, and so much scientific knowledge had been brought to bear upon the subject, that if they were now to build a new gallery they would get rooms which would amply accommodate any number of visitors—even the 10,000 which had been crammed and crowded together at the National Gallery on one holiday—and at the same time permit of that quiet and repose round certain pictures which was so essential to the enjoyment of works of art, while every room would be properly lighted and a means afforded of classifying the different schools. Those were the advantages offered by the alternative of building a new National Gallery, and he was sure that a building offering accommodation such as he had described would meet with general approbation. It had also been contended that the present building might be turned to better account if they applied it to some other purpose. On the other hand, it was said people were accustomed to it; many had acquired a fondness for it, and could not bear the idea of the pictures being removed. Others were anxious that the national building which contained our pictures should remain in the most prominent site of the metropolis, in the lingering and doubtful hope that if it remained in the hands of the Government it might ultimately be pulled down and a new one erected in its place worthy of a site which had been called the finest in Europe, and which was, at all events, the finest in the metropolis. A suspicion was afloat that some advantage was to be conferred upon the Royal Academy by the proposed change, and many Members did not appreciate the services rendered by the Royal Academy by means of the annual exhibition and of their schools. The popular taste was directed to the modern pictures rather than to the ancient ones, and it was obvious that that great exhibition of modern paintings was the greatest encouragement to art in the present day as well as a great gratification to all who were interested in art. He was not aware that the Royal Academy would have much to choose between remaining where they were and erecting a new building for their exhibitions, but he knew that whenever they did erect a new building they would take care to have galleries containing rooms where the pictures could be much better seen than at present. That was the only way in which the Royal Academy would benefit. The hon. Gentleman said that the real fault in the scheme proposed by the Government was that they had called upon the House to go to the expense of £17,000 in converting a useless hall into an excellent gallery. But it seemed to him that the fact of their having improved the building was no reason why they should permanently employ it for the purpose to which it was now put, although, no doubt, that expenditure would have been taken into consideration in the pecuniary arrangements connected with the transfer of the building. He denied that the Government had committed themselves in 1860 "for evermore" to use the building as a National Gallery. That was never intended to be a binding arrangement, precluding the Government from re-considering the matter. The delay in providing accommodation for the national pictures had arisen in a great measure from the change of opinion and vacillation of the Gentlemen who had sat in Committees or on Commissions appointed to take the matter into consideration upon the two alternatives which presented themselves, and until last year no decision whatever had been come to on the subject. When the House came to a decision on the subject, those who had the management of affairs would be glad to know in what direction the opinion lay. Though he still thought it would be a desirable thing to build a new Gallery on that new site, he was so anxious to make progress that he adopted the other alternative, and was prepared to make the best of the building in Trafalgar Square, taking care that all additions should be built with as much perfection and completeness as the state of science on the subject would allow. Fortunately the space in the rear of the National Gallery was very well adapted to the purposes intended. It was ample in extent, and if large additions were hereafter required for collections other than those now in the hands of the trustees there would be no difficulty in finding space for them. He quite agreed with his hon. Friend that it would be a desirable thing if the Cartoons of Raffaelle could be placed in the National Gallery. These Cartoons were the property of Her Majesty, who had graciously allowed them to be exhibited to the public in a fire-proof room at South Kensington, as part of that loan collection which was attracting so many visitors. At Hampton

Court they were in a room very far from being fire-proof—there being a great deal of woodwork in the walls, which was not put in modern buildings, and there being many residences in the Palace, whence arose those risks of fire which they were most unwilling to see in the neighbourhood of such priceless works of art as the Raffaelle Cartoons. He ought to have mentioned, with reference to the adaptation of the space in the rear of the National Gallery for its extension, that it possessed this advantage, that being secluded from public view the architect would not be subjected to the temptation of sacrificing the convenient and best distribution of his interior to external symmetry and impressiveness, and the building might be erected there with greater economy than if it were in a greater thoroughfare. His hon. Friend then proceeded to deal with the British Museum, in which it was not his province to follow him. Those immediately connected with that establishment were better qualified to reply to that part of his speech. He would only say this, that he did not agree in the observations made with respect to the alterations in the mode of classification. He had in his office a plan prepared for a building that would adequately exhibit those objects which the trustees of the British Museum in their resolution of 1852 wished to be removed elsewhere. That decision of the trustees had been the starting point of the subsequent measures, and the plan referred to would adequately carry it into effect.

MR. WALPOLE: The concluding portion of the statement of the right hon. Gentleman has, I confess, rather alarmed me. I had hoped that the declaration of the Government would have been more definite and clear as to what they intend shall be done. Some months ago I presented to the House a petition from the trustees. All the difficulties were stated in it. The petition stood over simply and solely that the Government might take the subject into serious consideration, and my right hon. Friend concludes without informing us what the Government would do, or whether the opinion of the House should be taken on that which would be the basis of all future proceedings—namely, the continuance of the collections together, or their separation. Unless the opinion of the House be taken on that point, I foresee that sufficient accommodation will not be provided. The hon. Member for Galway (Mr. Gregory) commented with very great freedom on the state of the British Museum and the management of that great institution. As to the state of the British Museum, I entirely agree with the hon. Gentleman. The collection is so extensive—so much is added to it from year to year, and the space is so inadequate, that it is not creditable to the country that the magnificent collection contained in the Museum should remain in the state in which it now is. But he must forgive me for saying that when he attributes that state of things to the want of management in the Museum he casts censure on the trustees which they do not deserve at his hands. The trustees were bound to add to the collections if they wished to make them worthy of this great nation. They were added to in order to bring the collections into that state of perfection and completeness adverted to by my right hon. Friend (Mr. Cowper). For nearly fifteen years the trustees have urged upon the Government the necessity for additional accommodation, and since no effective response has been made to that application they are not to be blamed for the present inconvenient mode in which the collections are exhibited. But when I say this, let it not be supposed that I cast off the blame he throws on the trustees in order to fasten it on the Government. I am not going to do any such thing. I know the difficulties the Government have in dealing with the subject. But we have arrived at that point where I think the Government may and—I might venture to add—ought to take the matter in hand, and the sooner they do so—my firm belief is—the better they will settle the question. I do not believe any Session will be more convenient for briging the matter forward. The Chancellor of the Exchequer is aware of everything that has taken place from the commencement with regard to the different applications which have been made to the Government on the subject. Nobody took a more active part both in and out of office in regard to it. Nobody takes a deeper interest—nobody is better qualified to take that interest and to advise the House as to what should be done. The difficulty this Session has certainly not been the want of funds—the want of a surplus—but, unfortunately, for some reason we remain where we were ten years ago, although the collections of natural history and antiquities are extending so rapidly, that unless increased accommodation is provided they must be closed to the public. It is very well known that I was one of those trustees who thought it would be better to keep together the magnificent collections you have got, provided you could find space enough for them; and this could have been accomplished by purchasing the whole buildings around the Museum. If that had been done, I say, without the slightest hesitation, doubt, or distrust, no country in the world either has, or ever will have, such a magnificent collection of art, literature, and natural history as would then be brought together on the same spot for the use of those who wish to study. One way in which that might have been done——and it might be done now, without any great expense to the public—would be to purchase the whole of the buildings around the Museum, to pay for the purchase at once, but not to pull down the houses except to the extent and according as you want the space to provide increased accommodation. In this way you would have the rents of the remaining houses to discharge the interest of the purchase-money, and you might gradually add to your buildings as your collections required increased accommodation. The expense, no doubt, in the end would amount to a considerable sum, but it would be spread over a number of years, so that the pressure would be comparatively slight. There are two courses open for the Government and the House to take. The one is to keep the collections together where they are now; the other to draw a clear line between the two sets of collections, between the objects of antiquity and those of natural history and then to remove these latter objects to some other place. This would be a most intelligible line to draw, and if it be thought, for the purpose of better management, and also on considerations of economy, that such a division would be better than the other course—namely, that of having all the collections together, then I would ask the Government to lay that alternative before the House by a proposition, and let it be decided upon once for all. In that case the trustees and the Government should take active and immediate steps for having the opinion of the House carried out. If they did not, a great deal of blame and responsibility would fairly and justly rest upon them. But some decision must be come to in this House, and, depend upon it, if you do not come to a decision now you will only be postponing the difficulty from year to year and making it still greater. I would urge upon the House to decide whether they will keep the collections together or provide separate accommodation for them. A plan should be submitted, and the sense of the House taken upon it, and having determined which course we shall take let us abide by it, and then take care that no time is lost hereafter. Not a day, at least not a year, should be allowed to pass before accommodation is provided for these collections in a manner suitable to their great value, and creditable to the country which has the good fortune to possess them. I thought on behalf of the trustees I should say this much in reply to the censure which my hon. Friend passed upon them. No doubt their position is a difficult one, and the want of accommodation presses upon them on every side, and they find it impossible to provide for the collections. It was due also that I should venture earnestly and respectfully to press upon the Government, some of whom are our Colleagues, that no time should be lost in coming to a decision upon the subject. The trustees cannot stir until the Government do decide; and when that decision is come to I hope the House will take care to see that it is ratified, and that the plan, whatever it may be, shall be immediately carried into effect.

Sir GEORGE BOWYER said, he gathered from the speech of the right hon. Gentleman (Mr. Cowper) that he contemplated the erection of some temporary building at the back of the building in Trafalgar Square. [Mr. Cowper: Not temporary.] He did not understand it to be, strictly speaking, a temporary building, but he understood him to say that they should make the best of the buildings they now possessed, with the view hereafter that these buildings might be taken down and something better put in their place. He maintained that this was in reality making a temporary arrangement. We were a great deal too fond in this country of erecting temporary buildings, or "make-shifts," and we spent immense sums of money very unwisely in that way. If all that the country spent in make-shifts had been applied to the erection of one building they would have had one that was both useful and handsome. A well-considered plan should be proposed for a handsome building which would be a permanent structure for all time. The National Gallery was so unsatisfactory that it ought to be pulled down as soon as possible, and a really good building erected in its place. Everybody knew that the portico of the National Gallery was nothing more than a cast-off portico of Carlton House. The building was really erected for the portico. The great fault of the National Gallery was that it was not high enough. Hon. Gentlemen taked of its being on the finest site in the world, but they could never have a handsome building if they had not height, which was a necessary element of beauty and magnificence. That was a feature in architecture which we did not understand in this country. We erected low buildings and expected them to produce a great effect. While height added much to beauty it also contributed greatly to convenience. The right hon. Gentleman (Mr. Walpole) had spoken of enlarging the British Museum by purchasing the buildings adjacent to it. That might be an exceedingly desirable, but it was a very expensive mode. Space in the air cost nothing, and why should they not raise the Museum two or three stories higher? The same plan would apply to the National Gallery. If it was raised sufficiently high, the building would accommodate three times the quantity of things that it does now, and it would then really have a fine effect. At present, to a person going up Parliament Street, the building was almost hidden by the Nelson column and the spray from the fountains. And when they got near it it looked as though they could throw a stone over it. If a really good plan were submitted to the House, he was sure they would not grudge the money for the erection of a handsome building. To provide accommodation piecemeal would be throwing the money away, and the country would never be satisfied if a proper building should not be erected. The House should take a lesson from Paris upon this subject. If they could not carry out a good plan in one year, let them take three years.

Mr. TITE said, he did not think the Government were to blame with reference to the National Gallery, as they had proposed a scheme last year to remove it to Piccadilly, which had his humble approval, but which received the support of only a minority of that House. He thought it would have been much better to erect a new building wherein they could make efficient arrangements and avoid all the difficulties and inconveniences that now existed. The House, however, had determined otherwise, and they preferred the situation of Trafalgar Square for the National Gallery. While we had the finest collections in the world, we had the worst arrangements for their accommodation. He thought, as the House had determined the National Gallery should remain on the present site, they ought not to grudge the money for improving it as far as possible. The collections in the British Museum were the finest but the worst arranged in the world. He did not think they ought to be divided, nor was it necessary. He could not entirely concur with the plan of Professor Owen. He ventured to think land could be obtained adjacent to the present site, and that it was unnecessary to go elsewhere, and this would be a great advantage to the public. The question, however, turned upon whether the House would agree to divide the collections or not. The House alone could decide that question. He believed the advantages in favour of keeping them together were predominant, and, if sufficient accommodation could be found in the neighbourhood, that plan would be, he thought, more economical and desirable than any other which could be adopted. If the House were of opinion that it would be well to have a separate building for the collections of antiquity, proper buildings could easily be erected for the purpose of accommodating them. With regard to the National Gallery, the Government might submit plans and estimates for a new building, and he had no doubt the House would make a good selection. The whole question was one which admitted of an easy solution.

The CHANCELLOR of the EXCHEQUER: Before, Sir, you pass to another subject I will say a few words especially in answer to the appeal of my right hon. Friend opposite (Mr. Walpole). First, however, I must refer to the speech of my hon. Friend (Mr. Gregory) who brought forward this Motion, and whose speech resolved itself into a Bill of indictment against Governments generally and the present Government in particular. According to him everything is wrong about the British Museum and the National Gallery. The Government have always adhered to unpopular plans and rejected popular ones; and the unpopular plans have always been those of the Government and the popular ones those of my hon.

Friend. It is one of the duties of a Government to endure such pelting as this with patience, and therefore I will take patiently those kind offices which the hon. Gentleman has bestowed upon us to-night. The last thing that I should think of would be to retaliate upon him and insinuate that he has himself introduced into this matter elements of division, confusion, and delay. It is not, however, fair to say that the Government have been slow to respond to the wishes of the House of Commons. What are the questions which have been raised? Originally, when my noble Friend now at the head of the Government (Viscount Palmerston) was at the head of another Administration he proposed to transfer the National Gallery to South Kensington. That step had, if I mistake not, been recommended by a Committee of this House, presided over by Colonel Mure, who reported in favour of a site being obtained at Kensington. A vote of this House afterwards showed its disinclination to adopt that plan, and it was at once abandoned by the Government. Then the Government proposed to purchase the buildings at South Kensington as well as the land—I do not speak of the land now—with a view to the speediest and amplest accommodation of the national collections which they proposed to remove from the British Museum. The House rejected that proposal, and it was at once frankly, absolutely, and finally abandoned by the Government. Then the Government proposed, with reference to the National Gallery, with a view to the immense advantage of one complete and comprehensive plan, and one great structure for the accommodation of the national pictures, that we should start afresh upon the magnificent site of Burlington House, and make a complete National Gallery worthy of the country and of the collection. Again the House differed from the Government, and the Government never dreamed of recurring to that plan. What have the Government done in which they have not deferred to the wishes of the House? The hon. Gentleman says that they have not deferred to the wishes of the House because they have not extended the British Museum upon its present site; but such a wish has never been expressed by the House. [Mr. GREGORY: The division upon the Bill of 1862 for the transfer of the collections.] That turned upon an entirely different matter—a question as to the government of the Museum, and had nothing to do with the question of removal. And what happened in 1863, when we proposed to purchase the land at Kensington for the purpose of accommodating the natural history collections? [Mr. GREGORY: That was not stated.] Several objects were mentioned, the accommodation of the Patent Museum, the National Portrait Gallery, and others, but my noble Friend at the head of the Government distinctly stated that the main reason for purchasing that land was the provision of full and ample accommodation for the natural history collections in the British Museum, and that vote so explained by my noble Friend was carried by an overwhelming majority. The presumption arising out of that is, that when the House voted the purchase of the land they intended that the Government should follow up the purchase by the erection of buildings. Therefore, in every case in which the House has expressed a wish the Government has deferred to it. We have never set ourselves against the desires of the House. My hon. Friend has returned to the subject of the extension of the Museum upon the existing site. In dealing with that question we had to consider, first, what amount of additional accommodation was required; and secondly, what was the price per acre of the land that it would be necessary to purchase in order to give that accommodation. Professor Owen, the highest authority whom we could consult upon every subject of natural science, and the person who is immediately responsible for the natural history collections of the Museum, stated that a space of eight acres would be required for the full accommodation of those collections, and he supported that statement by reference to what had been done or was doing by foreign countries in which large natural history collections existed, and where the amplest and wisest measures had been taken for their accommodation. The next thing that took place was, that a Committee of the trustees inquired into the cost of land around the British Museum and they found—I speak from memory only—that its price was £50,000 per acre. We have now obtained a site at South Kensington, the cost of which per acre was only £7,000. Now, as we are specially responsible for the proposals which have been made to the House of Commons upon this subject, I must say that although this country ought to be liberal with regard to the provision which it makes for the national collections, still, especially considering the great jealousy entertained by many of the expenditure of large sums upon the metropolis, it would have been wrong to have purchased the space required at a price of £50,000 per acre when we could obtain a site in an eligible situation for £7,000 per acre. That has received provisional sanction by the vote of this House for the purchase of the land at Kensington in 1863, upon a statement distinctly setting forth that the accommodation of these collections was one of the main purposes for which it was to be acquired. If there be those who say that the House of Commons did not give that vote with a view to placing the natural history collections upon that land, I should like to know for what purpose did the House agree to purchase these seven acres; and I should like my hon. Friend in the next ingenious and able speech which he makes upon this subject to put a construction upon that vote which shall not convict the House of Commons of insanity, and shall at the same time show that it did not contemplate the removal of the natural history collections to Kensington. I now come to the appeal made by my right hon. Friend (Mr. Walpole), and I can assure him that if he felt any alarm with reference to this subject, that alarm was entirely groundless. There was not a word which he said upon the subject of the duties of the Government to which we do not entirely subscribe; but if the correspondence has not proceeded at the rate of an express train in the 19th century it has not been entirely our fault. My right hon. Friend knows that at present the Government are proceeding in the matter in concert with the trustees of the British Museum, and it is impossible for them to propose a vote until a plan has been decided upon, which they can submit to the House, and according to which it is intended the buildings shall be erected. It was impossible for the Government to choose a plan without obtaining the opinion of the trustees, and this difficulty has arisen, that while the persons who were selected to pronounce upon the comparative merits of the designs gave their judgment in favour of Plan No. 1, the trustees of the Museum stated that having reference to some internal conditions Plan No. 2 was, in their judgment, more convenient. That being so, it was the duty of the Government to invite further communication with the trustees, in order to see whether the great architectural merits of Plan No. 1 could not be combined with the convenience of internal arrangements of Plan No. 2; and it was necessary that these communications should be brought to a close before the Government was justified in placing a proposal upon the table of the House. There has been no delay on our part. I quite admit that it is the duty of the Government to make a proposal to the House, in fulfilment of what they believe to be the proper and natural construction of the vote which was arrived at by the House in 1863. That is the course which the Government propose to take, and hon. Members will thus be afforded an opportunity of arriving at some decisive judgment upon the matter. I fully concur—setting aside all question of who is to blame—in the view that the present state of things is unsatisfactory and little creditable, and that it is the duty of the Government to labour with all the energy which they can command for the purpose of placing things on a better footing.

Mr. AYRTON said, he rose for the purpose of taking exception to the explanation which had been offered to the House by the Chancellor of the Exchequer in seeking to acquit the Government of the responsibility which devolved upon them for the present position of affairs in reference both to the National Gallery and the British Museum. So far as he could recollect there was considerable vacillation of opinion in regard to the National Gallery anterior to the time when the right hon. Gentleman the Member for Bucks (Mr. Disraeli) as Chancellor of the Exchequer, announced to the House that his Government had come to a deliberate conclusion on the subject. The Chancellor of the Exchequer (Mr. Gladstone) would probably remember that when that announcement was made it was received with unanimous approbation, he might almost say with acclamation, by hon. Members on both sides of the House. And what was the nature of the announcement? That the long-pending negotiations—they ought rather to be called intrigues—for the purpose of removing the National Gallery to Kensington would be brought to a close; that the Government were determined to disconnect themselves altogether from the Kensington party; that the National Gallery would be devoted to its original object, and that some arrangement would be made for the benefit of the Royal Academy. That being so, the present Government acceded to office, and the subject was again brought under the notice of the House in 1860. The noble Lord at the head of the Government then stated that he had deliberately arrived at the same conclusion as the right hon. Gentleman the Member for Bucks; that he believed it was the general wish of the House that the National Gallery should be appropriated to the purpose for which it was originally designed, and that a new habitation should be found for the Royal Academy. On the faith of that statement it was that the House had voted a sum of money for altering the National Gallery in such a manner that it might conveniently be adapted to the exhibition of the whole of the national pictures. Notwithstanding, however, that the Government must in 1860 have been convinced that it was the wish of the House of Commons that that scheme should be carried out, they deferred taking any steps with that object, and at last came down to the House to ask it to reverse its decision. Was it not clear, then, that the Government were responsible for the vacillation which had taken place upon the subject? But the House, instead of reversing, adhered to its decision, and he should now like to know what steps had since been taken by the Government in the matter. The Chancellor of the Exchequer was entirely silent as to whether the requisite arrangements had been made with the Royal Academy for the purpose of enabling them to remove their pictures from the National Gallery. Was the right hon. Gentleman not, then, he would ask, fairly open to the remarks which had been made by his hon. Friend the Member for Galway, with reference to the National Gallery? The same observation might be made with regard to the British Museum. In speaking of the British Museum the right hon. Gentleman relied upon the authority of Professor Owen, but he seemed to have forgotten that the question of the exhibition of the natural history collection had been very carefully considered by a Committee of the House, which was presided over by the hon. Member for Bath (Mr. Tite). The opinions of Professor Owen had been controverted by several very eminent men who had been examined before that Committee, and the result arrived at was, that we were not to have eight acres of natural history, embracing every variety of stuffed whales, and all sorts of animals, but that it would be better to have a more limited exhibition of types of animals which avoiding minute details impossible for any one but a highly-educated natural historian to comprehend, would present to the public a general view of the whole scope of natural history. But, notwithstanding the Report of the Committee to that effect, the Government still persevered in pressing their own scheme upon the House, which, however, rejected by a large majority the proposal for a natural history exhibition extending over eight acres. And what was the effect of that decision? To bring the House back to the question which had been raised by the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole)—namely, the practicability of exhibiting all that was necessary of the natural history collection in a much more limited space in the immediate precincts of the British Museum itself. He, for one, could not admit that the decision at which the House had arrived to purchase land at Kensington was tantamount to an adoption of a scheme to which they objected; it was simply the expression of a desire on their part to avail themselves of an excellent bargain by means of which they would secure for £7,000 a piece of land for which at some future period they might expect to get £20,000. [The CHANCELLOR of the EXCHEQUER: Subject to contract.] Subject to contract! Yes, but the contract had no real existence; it was purely fanciful, and the very Commissioners who were said to have made it had recognized the doctrine that the land might be appropriated to the purposes of science and art by selling it and applying the proceeds of the sale to that object. The House, therefore, might deal with that land as it pleased, provided the money realized by it was ultimately made available in the direction which he had just mentioned. That being so, he must protest against the doctrine of the Chancellor of the Exchequer that the purchase of the land irretrievably bound the House to an eight acre exhibition. That was a question which was still entirely open for the consideration of the House, and he felt quite satisfied that, whenever the matter came fairly before them, it could be shown that not only the most convenient but the most economical course to adopt for the exhibition of the natural history collection was that suggested by the right hon. Gentleman the Member for the University of Cambridge — that was to say, not sweeping away the houses until the space was actually required; but buying from the ground landlord the land in the neighbourhood of the British Museum, extending the limits of the Museum as the necessity for such extension arose, and keeping the houses on the property for the benefit of the rental which they would afford. There was a vast open garden space behind those houses, which would admit of the required extension for many years to come, and when that space was exhausted the houses might be pulled down. Under these circumstances, it was, he thought, desirable that it should be understood that the House had reserved to itself full authority to deal with the matter, and that the Chancellor of the Exchequer had fallen into a grave error in the supposition which he had made.

MR. HENRY SEYMOUR said, that in 1852 the Government and the people were directly at issue with regard to the removal of the National Gallery. The Government endeavoured to drag all the public exhibitions and buildings down to Kensington, but the House succeeded in keeping them where they were. When Colonel Mure's Committee was appointed in 1852 not one hon. Member whose views were in favour of keeping the National Gallery in Trafalgar Square was allowed to serve upon it. He declined, therefore, to be bound by the decision of a tribunal against which at the time of its nomination he protested as being unfairly constituted. The right hon. Gentleman said they accepted the Report of that Committee as the best exponent of public opinion. How, then, was it consistent for the Government to introduce a Bill, as they were about to do, for severing the collection of the British Museum, a proposal directly in opposition to part of the Report of that Committee. He shared the regret already expressed that the Government in this matter had not formed some comprehensive plan and acted upon it. It was especially to be regretted that the right hon. Gentleman, who was a distinguished patron of art, justly celebrated for his taste, had not applied himself to the mastery of the whole subject a few years ago, when a decision by him would have been attended with very great advantage. Bearing in mind how London was spreading in every direction, the Government, as it appeared to him, ought to fix upon some central position such as that lying at the bend of the river between those two magnificent edifices St. Paul's and Westminster Abbey, and say, "Here we will cluster our finest buildings." Depend upon it if this were done the neighbourhood would soon assume a worthy appearance. Dealing, as they were, with 3,000,000 people, he believed that commercially, socially, and politically, it would be of great advantage to have some central point at which the vast population could meet daily. To us this would be like the Agora at Athens, or the Forum at Rome, and no other site that he knew of was so well suited for the purpose as Trafalgar Square. The land between that and Westminster belonged almost entirely to the Crown. Instead of pursuing the course which had been adopted with regard to Government buildings he would have carried out the noble design of Inigo Jones for the re-building the Palace at Whitehall. He never would allow any portion of the Crown property to be sold or devoted to any purposes inconsistent with these public improvements. Instead of hankering after Kensington, and proposing to drag the National Gallery or the British Museum all the way there, a central site like Trafalgar Square should have been chosen, and then gradually they might have worked up to it. Charing Cross was the natural point for a great bridge to be thrown across the river. On that point he remembered speaking to the late Mr. Barry, who said he would not have a common bridge between two such cities as those lying to the north and south of the Thames, but a broadway of width proportionate to the immense population clustered on either bank. Regard being had to the Thames Embankment and other great works which were going forward in connection with it, he appealed to the Chancellor of the Exchequer, as a man of taste, not to overlook the enormous advantages derivable from the proximity of great edifices to one another, and the consequent advantages of the Trafalgar Square site. For like reasons, he deeply regretted the decision which had been arrived at as to the new Law Courts, which was mainly owing, he believed, to the fact that the lawyers did not wish to walk across the Strand with their wigs and gowns on. But of this he was quite sure, that in purchasing the seven acres of land at Kensington the House never supposed that they were entering into such a contract as that which the Chancellor of the Exchequer declared they had sanctioned. Unless he was much misinformed, it was the Chancellor of the Exchequer who had prevented the growth of the natural history collection in the British Museum, since 1852, on the ground that if it were improved in its present position the House would never consent to anything upon a grand scale being sanctioned down at Kensington. He was told that the Chancellor of the Exchequer when asked for money on behalf of the collection always said, "If we grant it, the public won't assent to a great expenditure at Kensington. Don't improve it, but let the public year by year feel how necessary it is to do something on a great scale." [The CHANCELLOR of the EXCHEQUER: Totally groundless.] He was glad to receive that assurance. But how was it, then, that the natural history collection had not been allowed to receive proper development? Professor Owen had told him that the question of site was altogether a secondary one in his eyes, and that the collection could be improved in its present position. What he objected to was the wasting of ten or twelve years of his life, which he would gladly have devoted to the making of this collection. A building quite adequate for the purpose might, he (Mr. Seymour) believed, be constructed at comparatively little cost at the site where the British Museum now stood, and if the adjoining houses had to be purchased the value of the ground would not be as great as that at Kensington. He could not understand the limited views which the First Commissioner of Works had always held as regarded Trafalgar Square and the space proposed to be taken in its vicinity. The First Commissioner of Works said he was coming to the House for powers to take the land on which St. Martin's Workhouse and the barracks stood for the National Gallery, but it was to be regretted his scheme did not include further improvements for giving a better communication between Leicester Square and the Strand. It would be much better to set inquiries on foot as to whether the large space behind the National Gallery to the top of Leicester Square could not be turned to advantage for the purpose. If the Government bought the land requisite, he believed an estimate for the works requisite to open up a great line of communication with Regent Street might be obtained from some of the public companies, by cooperation with whom and the Metropolitan Board of Works plans adding greatly to the beauty of the metropolis might be carried out at no very great expense.

IRELAND—MILITARY OCCUPATION OF THE CURRAGH.—QUESTION.

LORD NAAS said, that considerable interest was felt in Ireland with regard to this matter. It was doubtless well known that the Curragh, which was a large open space many miles in extent, had been used from time immemorial by the public for various purposes, sometimes military, sometimes agricultural or pastoral. A large portion of it also had been used for the racing. It was impossible to define exactly the rights of the Crown over this extensive plain; in fact, he believed that hardly any Member would venture to offer a confident opinion upon the subject. In years past the Crown seemed to have the power to give charters to certain individuals as to liberty of pasturage. Other rights had doubtless been exercised by the Crown; and of late years rights had been exercised to a considerable extent in the way of granting leases for small portions of the Curragh for various purposes. A notable instance of this had occurred lately in the plain having been taken possession of by Government for a camp and for rifle ranges in connection with it. They would find, on the other hand, that there were extensive public rights in connection with the Curragh; that rights of pasturage were claimed by certain corporate towns in Ireland; that in some Acts of Parliament the Curragh was described as a common; and that almost within his own recollection the county of Kildare appointed an officer — a Conservator of the Curragh—whose duty it was to see that no encroachments were committed. It had also been asserted by lawyers that the public possessed the right of traversing any portion of the Curragh on horseback and on foot. Some time since some women were summoned for trespassing on the Curragh, but the magistrates refused to convict on the ground that the charge could not be maintained unless the prosecution proved an ownership in the soil. A stipendiary magistrate, acting upon the advice of the Law Officers of the Crown, did subsequently, he believed, commit some of these people. The question was, however, re-considered; and it was generally held by those competent to give an opinion on the matter, that the magistrate had no right to send those persons to prison at all. He mentioned this circumstance merely for the purpose of showing how doubtful were the rights claimed by the Crown, and how desirable it was that the disputed points should be determined before any definite steps were taken with reference to the Curragh. If the rights of the Crown were to be defined by legislation, he thought that it should be preceded by inquiry, in which the public on the one hand, and the Government on the other, would have a full opportunity of stating their views. He understood that the military authorities complained of the great inconvenience resulting from the doubtful nature of their right to exercise the powers of police for the proper maintenance of discipline and order in the camp, and that it was partly with a view to remedy this grievance that the Government proposed to take the steps they intended. If the public really possessed any rights over the Curragh, those rights had undoubtedly been materially interfered with by the establishment of the camp. One-third of the Curragh was occupied by the camp and the ranges, and there could be no doubt that certain rights both of highway and pasturage were obliterated altogether. Some years ago he was informed that a Royal Commission was to have been issued upon this subject, but he could never discover that any steps had been taken in that direction. He would now ask whether it was intended to lease the whole or only a portion of the Curragh ; if so, on what terms and conditions, and to whom that lease was to be granted ; and whether the War or any other Department would have the right of selling or otherwise disposing of any portion of the Curragh, for other than public purposes. He wished also to know whether it was intended to propose any legislation on the subject during the present Session ?

Mr. PEEL said, that since June, 1854, the Curragh had been used as the site of a large encampment. The numbers were to be limited to 10,000, but they had not always been so. The Curragh was Crown property, subject of course to those common rights referred to by the noble Lord. It was decided, after some communication between the late Lord Herbert when at the head of the War Department and the Office of Woods and Forests to lease the Crown rights to the War Department for the term of twenty-one years, subject to termination, if deemed advisable, at the end of seven or fourteen years. It was not intended to introduce any Bill during the present Session ; in fact, no Bill was required to authorize the Commissioners of Woods to lease the Crown rights over the Curragh to the War Department. As the War Department might find it necessary to erect buildings of considerable size and importance during their lease, they had asked for a right of purchase if they should find it necessary, and the arrangement upon this point was to the effect that the War Department should ascertain the value of the fee simple of the property, paying to the Crown one-half after deducting any preliminary expenses which might have been incurred, and that they should take any steps which might be found necessary afterwards for obtaining an Act of Parliament to ascertain, define, and extinguish the rights of common. With regard to the terms of the lease, the Commissioners of Woods had received from the War Department to the present time for the occupation of the Curragh and for the right of taking gravel for military roads, and for letting ground to booth-holders, £170 a year, and they had in addition to pay £350 a year to the Ranger of the Curragh, making together £520. The War Department would, therefore, during the continuance of this lease, have to pay every year the sum of £520. It was proposed that the gentleman who had acted for many years as Ranger should retire upon a pension equal to his salary, and that the office of Ranger should remain in abeyance while the lease lasted, as it was found that the exercise of the duties of his office was inconsistent with the rights of the War Department as lessees of the Crown.

Lord NAAS wished to know if the whole of the Curragh was included in the lease ?

Mr. PEEL said, that it was, subject to the rights possessed by the Turf Club for racing and other purposes. The lease had, of course, been made subject also to such rights of commoners and others as might be found to exist. All that would be leased would be the Crown rights, whatever those rights might be.

Colonel DUNNE said, that when the camp at the Curragh was formed the Government said there would be no infringement of the rights of the commoners, but he had always apprehended an interference with those rights. He had from the first objected to the course adopted by the Crown in reference to this matter, because the Crown possessed no rights whatever upon the Curragh. He believed that a more atrocious invasion of public property had never been heard of. There used to be 30,000 sheep, the property of the people of the neighbourhood, kept on that plain; but the number had been reduced more than 20,000, and no compensation was allowed to these persons for the loss of their privileges. In England the Government purchased at a great expense the ground for Aldershot camp; but in Ireland they went and occupied land for a similar object in a most violent and outrageous manner. The Curragh belonged to the Irish people, and the Crown had no right or power to dispose of it. He hoped to be able to get up a subscription for the purpose of trying the question of right against the Crown. The Turf Club and the gentlemen of Kildare had acted supinely in the matter, but he trusted they would now bestir themselves in order to have the opinion of the Court of Queen's Bench on the subject. The lease which the Government were secretly arranging was a most unpopular as well as most unwarrantable proceeding, and he would do his best to resist it.

LORD DUNKELLIN said, he was not so anxious as his hon. and gallant Friend to go to law about the matter, but he had no conception that such a cool and deliberate scheme of spoliation as that apparently contemplated by the Government would have entered their heads. It was a matter of notoriety for years past that the Government had a faulty title to this land. But the affair was much worse than he thought, and he was glad it had been brought before the House. They had no right to transfer the land to the War Department, yet they proposed not only to do that, but to make permanent erections upon the Curragh. The camp there was a nuisance and an eyesore, and yet it was sought to perpetuate it. There was no knowing where all that would end. The Curragh was a place of national renown, and ought not to be cut up and destroyed. The bargain which the Government were about to make was not only illegal, but would be most obnoxious to the whole country. Barely 12,000 sheep were allowed to feed where there used to be 30,000, and the office of the ranger was to be put in abeyance. It was most essential that there should be an officer like the ranger to look after the Curragh and make such regulations as were required for the convenience of the community resorting to it. He earnestly hoped that Government would re-consider the matter before coming to a final determination upon it.

COLONEL FRENCH said, he did not think it desirable to continue the discussion. He thought the Government from what had taken place must be convinced that it ought to pause before embarking on the illegal course which they were contemplating. He denied that the Crown had any right whatever to these lands, and maintained that there ought to be a full and fair public inquiry, with a view to the protection of the public interests, before the proposed lease was entered into. What was complained of had arisen in consequence of Irish interests not being understood by any one connected with the Government.

MR. AUGUSTUS SMITH said, that he viewed that as another instance of the great inconvenience which had arisen since the passing of the Act 14 & 15 *Vict.*, owing to the distinction between Crown and public property, and also of the aggressive spirit shown by the Commissioners of Woods and Forests in encroaching upon what might be deemed public rights. The respective rights of the public and the Crown ought to be ascertained in regard to that property, and he regretted that the noble Lord (Lord Naas) had not proposed the appointment of a Committee to inquire into the subject.

Motion, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY.

SUPPLY *considered* in Committee.

House *resumed.*

Committee report Progress; to sit again on *Monday* next.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

1. *Resolved,* That, towards making good the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum of money, not exceeding One Million Pounds Sterling, by an issue of Exchequer Bonds.

2. *Resolved,* That the Principal of all Exchequer Bonds which may be so issued shall be paid off at par, at any period not exceeding five years from the date of such Bonds.

3. *Resolved,* That the Interest of such Exchequer Bonds shall be payable half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

Resolutions to be reported on *Monday* next.

Committee to sit again on *Monday* next.

WRITS REGISTRATION (SCOTLAND) BILL.

[*The Lord Advocate.*] [BILL 41.]

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [27th April], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Edward Craufurd.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

MR. CARNEGIE said, he understood that the learned Lord Advocate had consented to hold a meeting of the Scottish Members to consider this Bill, and that it was not therefore the intention of the hon. and learned Member for the Ayr burghs (Mr. Craufurd) to persevere with the Amendment which he had moved on the second reading.

SIR JAMES FERGUSSON said, he wished to know whether the Bill of the hon. and learned Member for Greenock (Mr. Dunlop) upon the same subject, and which the majority of Members from Scotland believed to be a better Bill than that of the Lord Advocate, was to be read a second time, so that the two Bills might be considered together. If that were not done, it would be under a great disadvantage as compared with the rival measure.

THE LORD ADVOCATE said, he understood that his hon. and learned Friend who moved the Amendment did not intend to divide on the second reading of the Bill, with the understanding that there should be a meeting of Scotch Members to consider the measure after the second reading. Beyond that no undertaking had been made by him (the Lord Advocate), and he intended to carry the Bill this Session if possible. The Scotch Members would meet to discuss, and not to decide upon the provisions of the Bill, and every Member would be perfectly free to take what course he might think proper. With regard to the Bill of the hon. Member for Greenock, he had given no pledge whatever, and it was his present intention to oppose it.

MR. DUNLOP said, he approved of the course which was proposed to be taken. His object in introducing his Bill was, that the whole question should be considered by a Select Committee. He had no desire that the Bill of his hon. and learned Friend should be rejected, but he held himself free to take what course he might think best.

MR. CRAUFURD said, he would adopt the course which had been taken on the understanding that the Bill would be brought before the meeting of Scotch Members and that he would be at liberty to reserve to himself the right of action when the Bill next came before the House.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Monday* next.

WAYS AND MEANS.

Resolution [May 4] *reported*:—Bill *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. PEEL.

FORFEITURE FOR TREASON AND FELONY BILL.

On Motion of Mr. ATTORNEY GENERAL, Bill to abolish Forfeiture for Treason and Felony, and to make other provisions in relation thereto, *ordered* to be brought in by Mr. ATTORNEY GENERAL, Mr. SOLICITOR GENERAL, and Sir GEORGE GREY.

PILOTAGE ORDER CONFIRMATION BILL.

Resolution *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill for confirming a Provisional Order made by the Board of Trade, under "The Merchant Shipping Act Amendment Act, 1862," relating to the Pilotage of the Port of Sunderland.

Resolution *reported.*

Bill *ordered* to be brought in by Mr. DODSON, Mr. MILNER GIBSON, and Mr. HUTT.

PIER AND HARBOUR ORDERS CONFIRMATION BILL.

Resolution *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, That leave be given to bring in a Bill for confirming certain Provisional Orders made by the Board of Trade, under "The General Pier and Harbour Act, 1861," relating to Carrickfergus, Hastings, Maldon, Northam, and Shanklin.

Resolution *reported.*

Bill *ordered* to be brought in by Mr. DODSON, Mr. MILNER GIBSON, and Mr. HUTT.

IRELAND—THE DUBLIN EXHIBITION.

RESOLUTION.

MR. HENNESSY said, he rose to move—

> "That this House has heard with regret that the Lord Lieutenant of Ireland has approved of a programme of music for the opening of the Dublin Exhibition from which all Irish music has been excluded."

The Lord Lieutenant, in approving of this programme, had deviated from well-established precedents. A former Lord Lieutenant of Ireland (the Earl of Eglinton) opened the Exhibition at Cork in 1852, and approved of a programme, in which there was an Exhibition Ode written by an Irishman, and set to music by an Irishman. On other occasions he had devoted much attention to Irish music. The Earl of Eglinton was a popular Lord Lieutenant, and what he did was worthy of the attention of Lord Wodehouse, if he wished to study how to gain the heart of the Irish people. Lord Eglinton, on the same day, attended a concert at which Irish melodies were performed. In 1853, at the opening of the Dublin Exhibition, an Exhibition march was performed, composed by Dr. Stewart, which was afterwards repeated in the presence of the Queen and the Prince Consort. However, as there were not many Members present, he would postpone his Motion until Monday evening—

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Eight o'clock till Monday next.

HOUSE OF LORDS,

Monday, May 8, 1865.

MINUTES.]—PUBLIC BILLS — *First Reading*— Masters and Operatives * (92).
Committee — District Church Tithes * (45); County Courts Equitable Jurisdiction * (94) [H.L.]
Report—District Church Tithes * (45).
Third Reading—Courts of Justice Building (23); Courts of Justice Concentration (Site) (56); Land Drainage Supplemental * (74); Local Government Supplemental * (72); Local Government Supplemental (No. 2) * (73).
Withdrawn—Juries (Ireland) * (55).

LEONARD EDMUNDS ESQ.—RESIGNATION OF CERTAIN OFFICES.

REPORT OF THE SELECT COMMITTEE.

RESOLUTIONS.

LORD REDESDALE: My Lords, your Lordships will probably have all seen, and perhaps read, the Report of the Committee that was appointed to inquire into the retirement of Mr. Edmunds. A censure is passed in that Report upon the Committee to whom the petition of Mr. Edmunds for a pension was referred. On behalf of myself and the other Members of the Committee, I cannot allow the matter to remain without bringing it under the notice of your Lordships' House. I beg, therefore, to give notice that to-morrow, I will, at the request of the Committee, call the attention of the House to that portion of the Report which states the opinion of the Committee as to the conduct of the Select Committee on the Office of Clerk of Parliaments, and I shall move that the passage of the Report in page 14, beginning "The Committee have examined, &c.," and ending "not have been recommended," be read, and also will then move the following Resolutions:—

"1. That the petition of Mr. Edmunds stating that after having served the House Seventeen years as Reading Clerk and Clerk of the Private Committees he desired to retire, and praying the House to grant him such allowance as to their Lordships may seem fit, having been presented on Tuesday, the 14th of February, by the Lord Chancellor, without any Comment being made thereon by him or any other Member of the Government present on that occasion, and referred to the Select Committee on the Office of the Clerk of the Parliaments without any special Order or Instruction in relation thereto, that Committee, when they met on Thursday, the 16th of February, (Mr. Edmund's Resignation having been already accepted by the House), had no Question to determine on the Petition so referred to them but the amount of retiring Pension to which he was entitled, and would have exceeded their Duty if, without special Instruction from the House, they had proceeded to inquire into his Conduct in any Matter unconnected with his Duties in this House.

"2. That the Report having been presented on Friday, the 17th of February, was Ordered to be laid on the Table, and was not agreed to until Friday, the 24th of February, whereby sufficient 'Delay was interposed before the Question was finally disposed of in favour of the Pension' for any Lord acquainted with Circumstances, which ought to have been known to the House before the Report was adopted, to have brought the same under the Consideration of the House."

In doing this I wish it to be distinctly understood that I have no wish and do not intend to enter the least into the Edmunds case, or into any of the facts affecting any one either in this House or elsewhere; but simply to clear the Select Committee from that which is felt to be a reflection on them. The expressions in the Report seem to have caused an impression on the part of newspapers and in other quarters which renders it necessary the Committee should show that the course which they pursued on the occasion referred to was the only one they could, with propriety, have adopted.

STRIKES AND LOCK-OUTS.

OBSERVATIONS.

Lord ST. LEONARDS rose to call the attention of the House to the subject of strikes and lock-outs. In doing so, he would, in conclusion, lay on the table a Bill to establish equitable Councils of Conciliation to adjust disputes between masters and men. He believed it to be the wish both of masters and men that some such course should be taken; but, for himself, he could not say that he had any great hopes that any measure for settling disputes by arbitration would ever meet so much approbation as to work well in practice. In those disputes which led to strikes, the men, he was sorry to say, like all other parties to a dispute, were too apt to think they were always in the right. If ever a case of strike might have been expected to be settled by arbitration it was that which had taken place in Staffordshire, where the arbitrator, Lord Lichfield, was neither a master nor a workman, but the lord-lieutenant of the county, and who entered so heartily and warmly into the matter, both as affecting the interests of the masters and men, with a view to their reconciliation. But the strike still continued in the north of Staffordshire. The men would not yield the slightest of their original demands. Nobody denied the right of the men to strike. If conducted without intimidation, a strike was perfectly legal. But it was a reproach to our age that through the operation of strikes on the one hand, and of lock-outs on the other, great branches of our national industry should be as completely suspended as if suddenly paralyzed by the hand of Providence. The operatives of this country, with all their intelligence, did not seem to estimate their own just position. They were in a kind of partnership in the business in which they were employed, in which they found the labour, while the capitalists found the money, and generally the knowledge necessary for carrying on the common business. When the workmen suspended the application of the capital which was theirs—their labour—the capital of the employer—his money—was laid up in a state of forced idleness, and great loss and mischief to both parties was the result. Instead, however, of acting in harmony, the two parties were often arrayed in hostility to each other. The men in one district struck work to enforce their own views upon the masters, and the operatives of other districts remained at work and supported those who were out on strike. That system, if carried out, threatened the utter destruction of capital, because as soon as one master was destroyed another was attacked, and each was unable to offer effectual resistance to these attacks in detail. The masters, in self-defence, resorted to what was called a lock-out, for they saw that ruin would overtake them all individually in rotation unless they united to resist demands which would render it impossible for them to carry on their concerns. He was anxious that, if possible, so lamentable a state of things should be put an end to. He was satisfied that no attempt could be wisely made to regulate wages by law, and the area over which legislation could operate in this matter was very limited. If anything could be done in that direction at all, it must be by bringing the masters and the operatives into friendly communication, and inducing both to consider together what was for their common benefit. In this way strikes may be avoided. No legislation can put an end to an actual strike. A strike is war, and victory alone can end it. In France Courts of Conciliation for dealing with the differences arising between masters and men had existed since 1806. Originally there was a Council, and also a sub-committee, or *bureau de conciliation*. Before that sub-committee every single dispute between master and man was taken; and if they could not settle it the matter was then taken before the Council. When the Revolution of 1848 broke out a great change in the system occurred, for then the masters and the men were put upon an equality, and a vast number of operatives being introduced into the Council, the scheme failed. Then came the plan now in operation, which placed the matter on a very different footing. The president and vice-president of the court were nominated by the Emperor, and a more restricted qualification was required both from the masters and the men who were to be electors. The masters were required to be *patentés*, and the workmen to be twenty-five years of age, to have been workmen for five years, and to have resided in a particular district for three years. The qualifications for a seat in the Council were thirty years of age, the capacity to read and write, and the qualification of an elector. There was great authority for the establishment of Courts of Conciliation, for three different

Select Committees of the House of Commons had at different periods reported in favour of such a measure. Yet it was singular that there were enactments already on our statute books which admitted of arbitration in matters of dispute between masters and operatives, but very few persons seemed to be aware of them, and they had almost entirely ceased to have operation. The 5 *Geo.* IV. c. 96, was still law, and under it arbitration might be resorted to on the subjects of dispute between masters and workmen in any trade or manufacture in Great Britain or Ireland: disagreements respecting the price to be paid for work done or in the course of being done, whether such disputes respected the payment of wages as agreed upon, or the hours of work as agreed upon, &c.; disputes arising out of or touching the particular trade or manufacture, or contracts relative thereto, which could not be otherwise adjusted. But the arbitrators were not to establish a rate of wages or price of labour or workmanship at which the workman should in future be paid unless with the mutual consent of both master and workman. The principal reasons why this measure had ceased to have an operative effect were, he believed, these:—The Act required that the parties should go before a magistrate, and this the men very much disliked; because, first, that it looked as if they were criminals; secondly, that the magistrates were, in many instances, connected with the employers of labour; and thirdly, that an arbitrator had to be appointed in every particular instance. A Bill on this subject was brought into Parliament consequent upon the Report of a Select Committee. That Bill passed the House of Commons and came up to their Lordships' House, and he (Lord St. Leonards) was induced to take charge of it; it was not accurately framed, but he corrected it to the best of his ability. He found, however, that it met with the entire disapprobation of both sides of the House; but from the kindness shown to him by both sides of the House after he had taken so much trouble in the matter, it was allowed to be read a second time, and was referred to a Select Committee, when it met with equal opposition, and as the Session was far advanced was not further proceeded with. He now brought forward the Bill once more, in consequence of the desire expressed during the late strikes by both masters and operatives for the establishment of some Court to which resort might be had for the purpose of putting an end to disputes between masters and men; but he should not attempt to press it to a second reading unless it met with general approval by both masters and operatives; and, in the meantime, the circulation of the Bill throughout the country might possibly lead to the suggestion of some better enactment, and, at all events, would show to masters and operatives the sort of jurisdiction which would be established if a Court of Conciliation were determined upon. The Bill would enable masters and men, if unanimous, to apply to the Crown for a licence empowering them to establish a Court of Conciliation. The masters must for six months be traders in the district in which they applied; the workmen must also be resident for six months, and must have worked in their particular trades for seven years. The number of the Council was not to consist of less than ten masters and ten workmen and a chairman, and no member of the Council was to adjudicate in any case in which he was interested. Powers would be given to them, when a case was submitted to them by both parties, to make an award. There were other provisions in the Bill which, he thought, would be beneficial, particularly one borrowed from the French code, a Sub-committee of Conciliation, to whom, in the first instance, all disputes are to be referred; but if they cannot prevail upon the parties to agree, the dispute is to go before the Council; but he would not press the measure unless, on examination, it met with approval from both sides of the House.

A Bill to establish equitable Councils of Conciliation to adjust Differences between Masters and Operatives—Was *presented* by The Lord Saint Leonards; read 1ª. (No. 92.)

COURTS OF JUSTICE BUILDING BILL. (No. 23). THIRD READING.

BILL PASSED.

Bill read 3ª (according to Order).

LORD ST. LEONARDS *moved* the omission of Clause 16, allowing the Lord Chancellor to purchase or redeem Chancery Compensations with the Moneys forming Funds belonging to the Suitors of the Court of Chancery in addition to the One Million of Stock previously authorized to be taken from the same Funds.

The LORD CHANCELLOR said, the Amendment of his noble and learned Friend ought more properly to have been moved on the second reading of the Bill. His noble and learned Friend proposed to strike out a portion of the Bill, and if his Amendment was carried the effect would be that the rest of the Bill would fall to the ground. His noble and learned Friend had for the first time failed to understand the meaning of the measure. There was a large fund in Chancery charged with certain compensations and annuities to persons, the greater portion of whom were advanced in years. Now, it was proposed, first of all, to take from the principal fund a million of stock; and then the residue, together with another fund that was available, could be applied in redeeming the annuities he had referred to. In that way there would be ample means for providing the compensations either in the shape of Government annuities, or by selling off a portion of the stock from time to time. His noble and learned Friend had objected to certain fees that would be charged under the Bill. But it had been already explained that those fees were of the most trifling description, and would be a mere drop in the ocean compared with the benefits to be derived from the Bill. His noble and learned Friend had referred to objections made by the Master of the Rolls and Vice Chancellor Wood. But their objections were of a very different kind. What they objected to was that the money which had been accumulating in the Courts of Chancery should be applied to the building of courts for the benefit of the suitors at common law. But was it possible to distinguish between the two classes of suitors? Was it possible to draw a line between the use of those Courts by one set of suitors and their use by another? The Bill, however, met the very objection which he had noticed, because, while the contribution from the Suitors' Fund was to be £900,000, all the residue and all possible deficiency were to be made up by charges in the Courts of Common Law. He trusted their Lordships would refuse to strike out this clause, to do which would cause the whole scheme to fall to the ground; and thus would be lost a measure which he was convinced would prove one of the greatest benefits to the public generally, and especially to the suitors, both in law and equity.

The Earl of DERBY said, he feared he was about to be troublesome to both the noble and learned Lords, but the case was one upon which he did not feel quite clear, and he wished to have his doubts removed. He assumed, in the first instance, that his noble and learned Friend (Lord St. Leonards), whatever his own opinion on the subject, did not intend to revive a discussion upon a point already decided by the House — namely, that the money of the Suitors' Fund was fairly applicable to the purposes of the Bill. But the question now was, whether under the clause they were not taking more from the Suitors' Fund than the Bill professed to do. It was upon that point he should like to have some explanation.

The LORD CHANCELLOR said, if the noble Earl would permit him he would repeat the figures. The Suitors' Fund consisted of £1,291,000 Consols. Besides that there was a Fund of more than £200,000—he believed it was £240,000—Consols which had arisen from the surplus fees invested under the direction of the Court. The operation which was proposed was this:—From the £1,291,000 stock £1,000,000 would be taken, which would leave a surplus of the Suitors' Fund of £291,000 Consols. To that surplus would be added the second Fund of which he had spoken — say £200,000 — which would make £491,000 Consols. Now it was estimated that the money required for the redemption of the compensations and annuities would be £437,000; and therefore the £491,000 of which he had spoken would be ample for the purpose. That would discharge every kind of encumbrance affecting the Funds, and would leave a million of stock perfectly free.

Lord ST. LEONARDS reiterated his arguments against the power proposed to be given to the Lord Chancellor to purchase or redeem Chancery compensations by the Suitors' Fund in addition to the one million of stock already authorized to be taken from the same Fund. It must be remembered that the whole of those Funds were a security for the compensations, and hence no part of the Funds could be taken until the compensations were redeemed.

The Earl of DERBY said, if he understood the noble and learned Lord correctly those two Funds—the Suitors' Fund and the Suitors' Fee Fund—were practically one, and out of the whole he proposed to take £1,500,000. The Suitors' Fund, as he understood, was now chargeable with a certain amount of annuities by way of compensation, and those annuities were chargeable on the whole of the Suitors' Fund. His noble and learned Friend (Lord St. Leonards) said that the Bill proposed to throw an additional charge upon the Suitors' Fund, because it was taking from it £430,000 more than it professed to do. But it appeared to him (the Earl of Derby) that this £400,000 was to be taken for the purpose of redeeming those annuities; and his noble and learned Friend's argument was that, by taking the capital of the Fund, they would be diminishing it more than if it continued to pay the incumbrances. Then, although he understood the noble and learned Lord on the Woolsack to say that the suitors would not be more injured, still there was a question whether it was advisable to pay off those incumbrances. But his noble and learned Friend (Lord St. Leonards) said, that inasmuch as the security of those compensations was upon the whole of the Fund, they could not proceed to diminish the Suitors' Fund by taking this £1,000,000 of stock, representing £900,000, without previously clearing the way by paying off those compensations. He confessed he did not see, if their Lordships admitted the principle that it was legitimate to apply this £1,000,000 at all to the purposes proposed, that they were doing a greater injury by retaining the clause than by adopting the proposition of his noble and learned Friend. There was another question as to the contribution professed to be made by Government; but, as his noble and learned Friend said, in reality to be made by the Suitors' Fund itself. He (the Earl of Derby) confessed he thought that his noble and learned Friend had not made out a case for his Amendment as to Clause 16, and if he divided the House he should vote against him. He should, however, be prepared to listen to his arguments on the other question.

Motion *negatived.*

LORD ST. LEONARDS *moved* to leave out Clause 22, which proposed to take from the Chancery suitors the value of the Masters' Offices (which were built at the expense of the Suitors' Fund, and were now vested in the Lord Chancellor upon trust to sell and pay the proceeds to the Suitors' Fund), and to pay the money to the Consolidated Fund, so as to form part of the £200,000 which the Government were to pay towards the expenses of the new Courts. The noble and learned Lord contended that the above would be the effect and operation of the clause—although it was not so framed as on the face of it to show the intention—and that the proposed transfer would be inequitable.

THE LORD CHANCELLOR said, that the noble and learned Lord who now objected so strongly to any interference with this particular Fund was himself the first to give the example for so doing by introducing a Bill for devoting buildings properly connected with the Suitors' Fee Fund to the purposes of the Patent Office. He actually, to use his own expression, "with unhallowed hand" took those offices from the suitors to the Court of Chancery, and devoted them to a purpose totally foreign and utterly alien from that to which they were originally applied. He was not, however, about to set the Attorney General in motion to cause his noble and learned Friend to make restitution. The fact was simply that the Government were about to become the purchaser of these Masters' Offices and other offices, every claim being extinguished by the sum of £200,000 for which the Government proposed to make themselves responsible.

LORD ST. LEONARDS explained that at the time the offices were made over, as stated by the noble and learned Lord, the Masters themselves ceased to exist. There had been no breach of trust, because, though the offices were not sold or the money paid over to the Suitors' Fee Fund, they were transferred with that liability still attaching to them.

LORD CHELMSFORD said, the question was not whether his noble and learned Friend who had just sat down or the noble and learned Lord on the Woolsack had been guilty of a breach of trust, but what the practical effect of this clause would be. Whether the offices were treated as buildings or treated as money it was plain that they belonged equally to the Suitors' Fee Fund. But the Government proposed to help themselves to these buildings as part of their contribution, ignoring the liability that attached to them. The buildings did not belong to Government but were the subject of a trust. It would, therefore, be unjust to allow the clause to remain in the Bill.

THE LORD CHANCELLOR said, he had explained more than once the course which the Government proposed to take. It would be very much shorter to take the houses than to follow the roundabout process of selling them and paying over the proceeds to the Suitors' Fee Fund, from which a certain amount was then to be withdrawn.

On Question, "That the said Clause stand part of the Bill?" their Lordships *divided :*—Contents 46; Not Contents 47: Majority 1.

Amendment *agreed to :*—Clause *struck out :*—Bill passed and sent to the Commons.

CONTENTS.

Westbury, L. (*L. Chancellor.*)

Devonshire, D.
Somerset, D.

Camden, M.

Abingdon, E.
Albemarle, E.
Clarendon, E.
Cowper, E.
De Grey, E.
Ducie, E.
Effingham, E.
Granville, E.
Romney, E.
Russell, E.
Saint Germans, E.

Eversley, V.
Stratford de Redcliffe, V.
Sydney, V.
Torrington, V.

London, Bp.
Ripon, Bp.
St. Asaph, Bp.

Abercromby, L.
Blantyre, L.
Boyle, L. (*E. Cork and Orrery.*)
Camoys, L.
Cranworth, L.
Dartrey, L. (*L. Cremorne.*)
De Tabley, L.
Foley, L. [*Teller.*]
Harris, L.
Houghton, L.
Hunsdon, L. (*V. Falkland.*)
Lyveden, L.
Monson, L.
Mostyn, L.
Poltimore, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Rossie, L. (*L. Kinnaird.*)
Skene, L. (*E. Fife.*)
Somerhill, L. (*M. Clanricarde.*)
Stanley of Alderley, L.
Sundridge, L. (*D. Argyll.*)
Taunton, L.
Vivian, L.
Wenlock, L.

NOT-CONTENTS.

Marlborough, D.
Richmond, D.
Rutland, D.

Westmeath, M.

Amherst, E.
Bantry, E.
Belmore, E.
Cadogan, E.
Carnarvon, E.
Derby, E.
Graham, E. (*D. Montrose.*)
Hardwicke, E.
Harewood, E.
Huntingdon, E.
Orkney, E.
Powis, E.
Tankerville, E.

Hawarden, V. [*Teller.*]
Hutchinson, V. (*E. Donoughmore.*)

Blayney, L.
Bolton, L.
Castlemaine, L.
Chelmsford, L.
Clements, L. (*E. Leitrim.*)
Colchester, L.
Colville of Culross, L. [*Teller.*]
Delamere, L.
Denman, L.
De Ros, L.
De Saumarez, L.
Digby, L.
Egerton, L.
Heytesbury, L.
Inchiquin, L.
Kingsdown, L.
Northwick, L.
Raglan, L.
Redesdale, L.
Saltoun, L.
Sherborne, L.
Sondes, L.
Saint Leonards, L.
Strathspey, L. (*E. Seafield.*)
Tenterden, L.
Tredegar, L.
Tyrone, L. (*M. Waterford.*)
Wynford, L.

COURTS OF JUSTICE CONCENTRATION (SITE) BILL—(No. 56.)

THIRD READING. BILL PASSED.

Bill read 3ª (according to Order).

LORD REDESDALE *moved* an Amendment in Clause 14 to leave out the words "Bridges over or." The object proposed by the insertion of these words was to authorize the construction of a covered bridge over the Strand whereby the members of the Temple and others might have ready access to the new Courts. Now, a bridge over the Strand would at best be a most unsightly object; it would also be an impediment to the proper traffic of that crowded thoroughfare, and ought not on any account to be sanctioned.

THE LORD CHANCELLOR said, he did not admit that such a structure must necessarily be either an ugly object or an obstruction; although it might be so treated as to become both. But the possibility of a bridge over a thoroughfare being made inconvenient would hardly warrant them in striking out the words. Such a covered way would, undoubtedly, be a great convenience, and if properly made would neither prove an impediment to the traffic nor a disfigurement to the site and building.

LORD REDESDALE held it utterly impossible that any bridge could be carried across the Strand without being a disfigurement. No architect would venture to propose such a thing. He should certainly say Not Content.

Amendment *negatived.*

LORD REDESDALE *moved* a new clause after Clause 18, in order to enable the public to know what would be the cost of this great speculation, and how the ground was proposed to be occupied. At present they had not the slightest idea of either. The Government asked power to appropriate £1,500,000 to the erection of these Courts, of which £750,000 was to go towards the site; but what that site was actually to cost neither the Government nor anyone else knew. He proposed that no notice should be given of the intention to take any property till plans and estimates were prepared of the cost and construction of the buildings, and the sanction of Parliament thereto obtained. His own impression in regard to the site was that it would not be found very advantageous. There was a very considerable fall from Carey Street to the Strand, and this building would no doubt have more fronts than one. It would be utterly impossible that two of them could, from the nature of the ground, have an uniform elevation. He thought it desirable that both Houses of Parliament should be made acquainted with the extent of land required, how the plan was to be carried out, and the cost of the structure before anything was finally done.

Moved, after Clause 18, to insert the following clause:—

"No Notice shall be given of the Intention to take any Property under this Act, nor shall any Contract be entered into for the Purchase of any Property, until after Plans for the proposed Courts shall have been prepared and Estimates made of the Cost thereof, and further Provisions made for securing such additional Lands as may be required for Approaches to or necessary Convenience of the said Courts, with an Estimate of the Cost attending the Purchase of such Lands and the Formation of such Approaches, and shall have been sanctioned by Parliament."

THE LORD CHANCELLOR said, that it would require the spirit of prophecy to ascertain with certainty beforehand what would be the actual expense; but, so far as calculations and estimates of the cost were concerned, they had already been made. He had before stated that an estimate of the value of the buildings on the proposed site had been made several years ago. That estimate was afterwards carefully revised by a Commission, who reported in 1859. Every part of that estimate had again been gone over, and the conclusion arrived at was that the sum required would be £1,500,000. But they were not without fresh resources. In addition to the Suitors Fund, there was a tax to be imposed in the shape of fees, which might be augmented to double the amount. The Bill proposed that the plans should be prepared by the profession with the aid of the Government, and that there should be a body of men constituted with the aid of the Treasury to allot out the land. Instead of that, which would alone be satisfactory to the profession, the noble and learned Lord proposed that no notice should be given to take the land until plans should have been prepared. But how could that be done if the Amendment were agreed to; when it would be impossible to allot out the plan until the estate should have been laid bare? If the Amendment were carried everything would have to be postponed until the Government had arrived at a decision, and a plan had been agreed upon, and that could not be done until the land had been acquired and cleared of the present buildings, when the shape and state of the land could be seen. No Amendment ever contained within itself more impossible things than this one, and if it were carried the noble Lord would have the credit of defeating the Bill. They could not tell what approaches they would want until the plan had been made.

THE EARL OF DERBY must confess, notwithstanding the statement of the noble and learned Lord, the course recommended by the noble Lord the Chairman of Committees was suggested by the most ordinary consideration of prudence in regard to an undertaking of that magnitude. It was all very well to say that this matter had been deferred for a very long time; but although there might already have been great delay, that was no reason for imprudent haste now. One part of the Bill was intended to sanction the appointment of a Commission which should decide on the plan. The estimate for the purchase of the land was £750,000; but for the buildings to be erected on that land there was no estimate. The whole thing was an entire guess. Until they determined what the buildings were to be, it was nonsense to talk of an estimate. Before the Committee of the House of Commons the chief witnesses examined were the Surveyor of the Board of Works, another surveyor who spoke to the character of the houses on the site, and a doctor who spoke of the importance of the scheme in a sanitary point of view. But as to the space not a tittle of evidence was adduced before that Committee except that Mr. Pennethorne said that 7½ acres would be enough, and not more than enough for the proposed buildings. The approaches were important, not only in reference to the space to be occupied, but even in reference to the money to be paid for it. The noble and learned Lord said that no architect could frame a satisfactory plan for the occupation of a particular site unless all the existing buildings upon it were removed.

THE LORD CHANCELLOR explained that he referred to the delay which would be caused in preparing the plans—because the Commission would first have to determine the number of courts and offices required, together with their dimensions before the building could be commenced.

THE EARL OF DERBY said, that the exact plans, with the length, breadth, and even the levels of the land, could be prepared without the land being first cleared; and he could not understand why the architect could not proceed with his plans while the land was covered as well as if it were cleared. If he himself were going to build a range of stabling upon the site of the old ones, he certainly should not pull down the old ones before he arranged the plan for the new building; and he should be very much astonished if any architect told him that the old stables must be pulled down before the plan of the new ones was prepared. His own opinion was that the carrying of this Amendment would not in the slightest degree interfere with the progress of the work, and that its adoption was required by the exercise of even the most ordinary prudence.

EARL GRANVILLE said, the noble Earl overlooked the fact that the site of his old stables would be his own land, whereas in the present case the land belonged to other persons.

THE EARL OF DERBY: But by the Bill the Government made the land their own by taking compulsory powers to buy it, and the only question was as to giving notice to the parties.

EARL GRANVILLE: But the Amendment said that no notice to take land should be given until the plans had been prepared.

LORD REDESDALE: The time for giving the notices would not expire for three or five years; and therefore the delay in giving notice for a year would not interfere with their getting possession of the land in the end. As to laying out the plans, the Commission would not go over the land to do this, but would sit in a room and form their opinion upon plans laid before them; doing so with the assistance they might receive from professional men. The moment this Bill was passed the Commission could be appointed and instructions given to prepare the plans. With regard to the estimates for buildings of this character, he begged their Lordships to bear in mind what the Houses of Parliament had cost building compared with what they had been estimated to cost. He believed that they had cost more than three times the amount of the original estimate of the architect. To proceed with a work of the magnitude now proposed without any estimate appeared to him to be an act of imprudence that it would be discreditable to Parliament to allow.

THE DUKE OF SOMERSET said, that the allusion to the cost of the Houses of Parliament was not applicable in the present case; for, with respect to the Houses of the Legislature, Parliament took the management of the business on itself and would not allow the Government to interfere. Therefore, for the excess of expenditure over estimate Parliament was responsible and not the Government; and it was now proposed with the same view of economy that Parliament should have the management of the expenditure in the case of the Courts of Law.

THE DUKE OF ARGYLL said, that the words of the new clause requiring the sanction of Parliament before anything was done must necessarily lead to a postponement of the work until an Act granting the required sanction should be passed in another Session of Parliament.

LORD REDESDALE said, it would be impossible to begin the building till next year or the year after. There was plenty of time.

THE LORD CHANCELLOR said, if the Amendment were agreed to there would be no less than four distinct Acts of Parliament required to carry out the Bill, and therefore the Amendment was nothing less than a covert way of defeating the Bill altogether.

On Question? their Lordships *divided:*—Contents 47; Not-Contents 44: Majority 3:—Amendment *agreed to:*—Clause added to the Bill:—Bill passed and sent to the Commons.

CONTENTS.

Marlborough, D.
Richmond, D.
Rutland, D.

Westmeath, M.

Amherst, E.
Bantry, E.
Belmore, E.
Cadogan, E.
Carnarvon, E.
Derby, E.
Graham, E. (*D. Montrose.*)
Hardwicke, E.
Harewood, E.
Huntingdon, E.
Orkney, E.
Romney, E.
Tankerville, E.

Hawarden, V.
Hutchinson, V. (*E. Donoughmore.*)

Oxford, Bp.

Blayney, L.
Bolton, L.
Castlemaine, L.
Chelmsford, L.
Clements, L. (*E. Leitrim.*)
Colchester, L.
Colville of Culross, L. [*Teller.*]
Delamere, L.
Denman, L.
De Ros, L.
De Saumarez, L.
Egerton, L.

Heytesbury, L.
Inchiquin, L.
Kingsdown, L.
Northwick, L.
Raglan, L.
Redesdale, L. [*Teller.*]
Saltoun, L.
Sherborne, L.
Sondes, L.
Saint Leonards, L.
Strathspey, L. (*E. Seafield.*)
Tenterden, L.
Tredegar, L.
Tyrone, L. (*M. Waterford.*)
Wynford, L.

NOT-CONTENTS.

Westbury, L. (*L. Chancellor.*)

Devonshire, D.
Somerset, D.

Camden, M.

Abingdon, E.
Albermarle, E.
Clarendon, E.
Cowper, E.
De Grey, E.
Ducie, E.
Effingham, E.
Granville, E.
Russell, E.
Saint Germans, E.

Eversley, V.
Stratford de Redcliffe, V.
Sydney, V.
Torrington, V.

London, Bp.
Ripon, Bp.
St. Asaph, Bp.

Abercromby, L.
Blantyre, L.
Boyle, L. (*E. Cork and Orrery.*)
Camoys, L.
Cranworth, L.
Dartrey, L. (*L. Cremorne.*)
De Tabley, L.
Foley, L. [*Teller.*]
Harris, L.
Houghton, L.
Hunsdon, L. (*V. Falkland.*)
Lyveden, L.
Monson, L.
Mostyn, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Rossie, L. (*L. Kinnaird.*)
Skene, L. (*E. Fife.*)
Somerhill, L. (*M. Clanricarde.*)
Stanley of Alderley, L.
Sundridge, L. (*D. Argyll.*)
Taunton, L.
Vivian, L.
Wenlock, L.

PROTEST

Against the Third Reading of the Courts of Justice Concentration (Site) Bill.

"*DISSENTIENT*:—

"1. Because it is the duty of the State to provide fit Courts for the administration of justice; whilst the Bills just passed provide the principal means of erecting the new Courts out of the Suitors' Fund of the Court of Chancery and by taxation of the Common Law suitors. Taxation ought never to be imposed for that purpose. As to the Equity Fund, the first Bill directly takes one million stock for the scheme, and subsequently takes indirectly about half a million more by authorizing the Lord Chancellor out of that fund to purchase or redeem certain compensations which are charged on the funds; and by assigning to the Consolidated Fund the value of the late Masters' Offices which are held by the Lord Chancellor as a trustee for the Suitors' Fund, although the section (22) which transfers the property from the suitors to the Consolidated Fund contains no statement of such an intention.

"2. Because no portion of the Suitors' Fund can be appropriated by Parliament for any other object than the benefit of the suitors in equity without a violation of the rights of property and indirectly repealing divers Acts of Parliament, to which no reference is made in the Bills. The funds in question have arisen from moneys belonging to the suitors in Chancery, which were paid into court from time to time without any direction to invest them, and the Court, with the aid of Parliament, which was required only because the consent of all the owners of the moneys could not be obtained, invested them, and the dividends, with fees of Court, form the fund in question. Until now the Government never ventured to treat it as a public fund, or to appropriate it to purposes not connected with the ease and benefit of the suitors. In the many Acts of Parliament relating to the fund, not a syllable can be found to sanction Parliament in treating this as a public fund. The principal belonged to the suitors; to whom but them should the produce of it belong? The Court of Chancery held it as a fund dedicated to the purposes of the suitors as a class. From the 12th of George II. to the 15th and 16th of the Queen, a period of more than a century, some 10 or 12 Acts of Parliament recognize the fund as belonging to the suitors; the sums not expended for purposes required for the ease and benefit of the suitors were carried to accounts in the name of the Accountant General for the benefit and better security of the suitors in Chancery. It is not disputed that the fund, if required, is liable to the suitors as a class. And, indeed, their right is fully admitted by the provision in the Building Act for providing out of the Consolidated Fund the means of any insufficiency of the cash of the suitors to satisfy their demands, but this provision is improperly confined to the million of stock directly appropriated by the Bill. The Chancery Commissioners, in their Report, state that it is true that in times past this fund has been exclusively employed for the benefit of the suitors in Chancery, but this may have been because the exigency of the moment rendered such an application thereof necessary or expedient. Circumstances, however, have now changed, new and varied exigencies have arisen, and the wants of the present day urgently call for a different application. This statement may be left without a comment.

"3. Because, as already stated, there is no foundation for the claim of the Government to treat the fund as public property. The statement in the Building Bill is that the fund stands to the credit of "an account of securities purchased with surplus interest arising from securities carried to an account of moneys placed out for the benefit and better security of the suitors of the High Court of Chancery," which admission seems conclusive against the right of the public; but the Bill adds, "which has arisen from the profit of investments made under the authority of Parliament at the risk of the public of unemployed cash balances paid into court on account of individual suitors." This is the first time since the institution of the fund that it has been pretended that the investments were at the risk of the public, and therefore giving to the public a right to the fund. For this statement there is not the slightest foundation. Not the public indemnity, but the ease or the benefit and security of the suitors, are the objects declared in every Act of Parliament. The public incurred no risk, and therefore is not entitled to the benefits claimed. It is truly said that no individual suitor is entitled to the fund, but it does not follow that the suitors as a class are not entitled to it. All the applications of the fund for the last century and a half prove this, for they were all for the benefit of them as a class. The ownership of the fund is strikingly exemplified by the great settlement in 1852 (15th and 16th of Victoria, cap. 87), followed by the Act of 1853 (16th and 17th of Victoria, cap. 98), of which latter Act the Chancery Commissioners do not appear to have been aware. These Acts made all the funds in question at once applicable to the relief and benefit of the suitor, and the unclaimed funds were added to the others, although subject to be made good if claimed hereafter; and now the present measure, without referring to this important and, as I thought, final settlement, repeals and destroys it. In 1852, so far was Parliament from claiming the fund as public property, that it relieved it from charges to the amount of £9,000 a year which had been imposed upon it by Parliament for the salaries of some of the Equity Judges. This was done on the ground stated, "that it was expedient that the salaries of all the Judges of the Court of Chancery should be paid out of the Consolidated Fund instead of out of the interest of the securities purchased with the cash of the suitors." This relieved the fund for the benefit of the suitors, and was a just and proper provision, but utterly inconsistent with the claim now set up in the name of the public, for if the Suitors' Fund did belong to the public it might properly be applied to the payments from which it was relieved, or, indeed, be expended on the Thames Embankment, or any other public work. The analogy attempted to be set up that the Court of Chancery is a banker, and therefore is entitled to the profit will not bear examination, and if it could, still the profit would belong to the Court, and the Court, with the aid of the Accountant General, is the guardian and not the owner of the property to which the public can have no claim. The Lord Chancellor, if a trustee without authority invested the trust money and made a profit of it, would be bound to compel him to pay it to the owners of the capital, although they had given no directions for its investment with costs. All the risk would fall on the trustee, all the benefit would accrue to his *cestui que* trust. This will be a painful rule to follow, now that the Court itself holds the interest of the fund belonging to the suitors, which was invested without their consent not to belong to them as a class. Those who rely upon the fact that no individual suitor can claim the fund and deny the right of the suitors as a class, yet maintain the right of the public, that is the nation, to the fund. Has any individual citizen any claim to any portion of it?

"4. Because, although no objection could be made to the erection of new Courts of Justice for the Equity Judges if necessary, at the expense of the Suitors' Fund, yet no such necessity exists beyond a very limited application of that fund. There are six Equity Courts—1, the Lord Chancellor's; 2, the Lords Justices'; 3, the senior Vice-Chancellor's; 4, and 5, the two Courts of the other Vice-Chancellors; and, 6, the Rolls Court. The first five Courts are all in Lincoln's Inn; the first three of them are good Courts, and require none others to be substituted for them; the other two are unfit for Courts of Justice, and would long since have been replaced by new and good ones, if the present scheme had not been introduced. Lincoln's Inn was prepared to expend £100,000 on new Courts, and to require from the Suitors' Fund only £4,000 a year, including the present payments from that fund to the Inn, and a plan was made and laid with a Bill for effectuating that object before this House. It is, therefore, wholly unnecessary to build on the proposed site any new Courts for the Equity Judges. In Lincoln's Inn the Courts have long been established. The suitors, the Bar, and the solicitors have the benefit of the garden and the open grounds. If left where they are they would not interfere with the proposed concentration of the Courts, for the Common Law Courts would be concentrated on the site proposed, and the Courts of Equity would be within a few yards of them. The Rolls Court is a fine and excellent Court. The Master of the Rolls objects to be removed; more especially as the great Record Court of which he is the head is connected with his Court, and he has constant occasion to resort to it. There is no reason why his Court should be removed. The distance between it and the proposed Courts is too trifling to form a reason for the removal. Nevertheless, all these Courts are to be removed at the expense of the Suitors' Fund. Concentration after all will not be effected. The Nisi Prius Courts are left at Guildhall, the Court of Bankruptcy in Basinghall Street, the Central Criminal Court in the Old Bailey, the Land Transfer Court, the Charity Commissioners, and the Inclosure Commissioners are to remain where they are, and some of them at a great expense to the public. The still more important Courts of Appeal in this House and in the Privy Council Court are, of course, left undisturbed. Two Courts are to be removed; one the Lunacy Commissioners' Court, which ought not to be taken into the turmoil of all the Courts, and the other—the Divorce Court—which for obvious reasons should be kept as far as possible from the seat of the other Courts. The suitor will be astonished to find how little benefit the concentration will afford him; an injury, in all probability, it will inflict on him; for at present the Equity Bar confine themselves as much as may be to one Court, but when their Courts are all under one roof, the suitor may have to regret the absence of his leading counsel, or of his junior, when he requires the services of both.

"5. Because the Bills will take one million and a half of stock from the Equity Suitors' Fund for the purpose of building new Law Courts and unnecessarily rebuilding Equity Courts, thus depriving the suitors of £40,000 or £50,000 a year revenue, and thus stopping the future relief of suitors in equity from fees of court which ought to be reduced. The Commissioners appointed to inquire into this subject, in their Report of July, 1862, were of opinion that if the Suitors' Fund was taken, the Consolidated Fund should provide £40,000 a year to furnish the suitors with funds to meet their claims — a Parliamentary indemnity. But so far from this being adopted in the Government Bills, they first take £1,000,000 of stock, which reduces the income of the Suitors' Fund some £40,000 a year, and then the Lord Chancellor is to draw upon the fund for another £400,000, or £500,000 stock in order to relieve the fund from the compensations to which it is liable, or in other words to supply the annual revenue of which the appropriation of the one million will deprive it. If the suitors had still their funds in their own possession, the repurchase or redemption of the compensations charged on them might be a legitimate transaction. But one million of their stock is first taken from them absolutely freed from the charges which affect all the Suitors' Funds. If the remainder of the funds taken under section 16 were left to the suitors, they would be able to pay off the compositions till they fell in by the deaths of the annuitants, and when and as they died the fund itself would remain for the suitors' benefit clear of charge. The scheme is to take a million of the capital, and then, foreseeing that the interest would be required to meet the claims upon it, nearly half a million more of capital is taken to clear the million in the hands of the Government from its liabilities, and thus the suitors are stripped of all their funds.

The charge on the Consolidated Fund as an indemnity is a poor security. Instead of having their own funds in the hands of their own officers to answer their demands, they must resort to the Treasury as claimants on the public funds, and, of course, the relief from Court fees and other benefits from the fund are at an end. The injustice to the suitors in Equity is further shown. There is a sum of £88,254 5*s.* in the power of the Government, and of which they receive the dividends, which arose from fees in the Common Law Courts. Now, the Commissioners in their Report state, "that this Common Law Fund is wholly free and unappropriated, and there cannot be a more legitimate application of it than towards the completion of a scheme from which the suitors at Common Law will derive the most essential advantage." Yet the Government retain this large sum as public money, and take, of course, the like sum from the Equity Suitor's Fund, to build Courts for the Common Law suitors. Besides which they indirectly take from the suitors the value of the Masters' Offices, which is strictly and clearly their property, and of which the Lord Chancellor is a trustee for them.

"6. Because the funds of the suitors in Equity cannot bear the reduction of a million and a half of their stock. Upon the great settlement of 1852 fees in Equity were remitted, which, within a few years, it is proved would have amounted to £40,000. The Lord Chancellor is bound to further relieve them if the funds be not taken away; they still pay 8 per cent. The accumulation was stopped in 1852, and the interest of the Suitors' Fund was carried to the Fee Fund, and it appeared in 1860 that this arrangement had saved the suitors £551,978. At times the whole income is nearly exhausted in payments. The income is subject to fluctuations. £1,200 to £1,500 a year was cut off by a decision as to receivers; and in 1860, £6,000 a year charge had been added since 1858. Whilst Lord Cranworth was Chancellor he had to order the sale of £300,000 to meet the suitors' demands.

The payments into court cannot be depended upon. The power in one of the Bills, for which I am responsible to executors to administer with safety the assets without filing a bill and paying the money into court, was followed next year by the amount paid into court being £600,000 less than the previous year. Immense sums are paid in by railway companies, which must soon cease. Payments into court of trust moneys will, no doubt, be reduced in number when it is understood that the Government claim for the public a right to the fund which is still described as placed out for the benefit and security of the suitors.

Under the Commission before referred to, Mr. Johnson, the solicitor to the Suitors' Fund, was examined at great length, and he showed clearly the impolicy of touching the fund, but to this important evidence no attention has been paid. Vice-Chancellor Stuart had a very strong impression that drawing upon the Suitors' Fund for an enormous scheme of that kind, including the Courts of Law and Equity, would involve considerations of injustice that required a profound deliberation. Lord Justice Turner, in an elaborate statement, objected to the fund being taken: he held that the fund belonged to the suitors by original right, and that it was besides appropriated by Parliament to the purposes of the Court of Chancery; and he said that every appropriation of it by Parliament had been for the benefit of the suitors, and for their benefit only, and he did not think that it could, consistently with moral justice, be applied for other purposes than for the benefit of the suitors; he treated the notion that the Court was to be considered as a banker as a mistake, and he agreed with me that the Court was a trustee of the fund, and the suitor was the *cestui que* trust. He was of opinion that if Parliament did take the fund, not merely a guarantee, but an actual revenue should be paid by the Exchequer to the Lord Chancellor equal to the interest of the fund taken from the suitors. The Master of the Rolls thought it very objectionable to touch any part of the Suitors' Fund for the building of Courts of Justice, and he stated that a former Chancellor of the Exchequer who wished to take the fund for public purposes, under a guarantee from the public, admitted that it could not fairly be so taken after its origin had been explained to him by the Accountant General. Vice Chancellor Wood, one of the Commissioners, dissented from the Report as far as it related to the appropriation of the Suitors' Fund, giving elaborate reasons in a separate form for his dissent; he agreed with Lord Justice Turner and the Master of the Rolls that the first step towards the appropriation of the Suitors' Fund to purposes unconnected with the business of the suitors would be erroneous and unjust, and he thought it wrong on the general principles of political expediency. He held that the fees should be reduced with the funds, which the appropriation to the buildings would prevent; and, in fact, you would levy fees on a Chancery suitor in order to ease Common Law suitors in the expense of their litigation.

"7. Because the scheme will displace 4,175 persons, of whom 3,082 are of the labouring class, including children. Many of them are described as of filthy habits, and it is proved that in some parts fever is never absent. The houses, warehouses, &c., occupied by this population are about 400. Now, much credit is taken for clearing away this crowd of people. Where are they to go? Government has made no provision for their future residence. Nobody pretends to know where they are to be located. We know that, go where they may, they will assist to further crowd some place already too full. Doubtless their filthy habits will accompany them, and the fever stricken—the never-failing fever—will be carried to other localities, to add misery and sickness to their inmates. Every one must desire to limit these evils as much as may be. Now, the unnecessary removals for the New Law Courts for the Equity Judges will greatly add to these evils, which ought to have much weight in the consideration of the subject, if we are in earnest in the sympathy which we so often express for the labouring man, who is driven from his home by public improvements.

"8. Because no plan of the new Courts has been matured, and, therefore, no estimate of the expense can be relied on. Everything is left to be done, and doubtless the expense will far exceed the sums provided. The accesses to the Courts will cost a large additional sum, for which no provision has been made. When it was proposed to build the Courts in the centre of Lincoln's Inn Fields, Sir Charles Barry, then Mr. Barry, in answer to a question from me in a Committee of the House of Commons, could not say that to open accesses from the two Turnstiles, Duke Street, and Clare Market, all of which would be required, would not cost a million of money. Five years are allowed for the purchases of the site, and it is not probable that the buildings will be erected in less than twice that period, during which, no doubt, after the Suitors' Fund is exhausted, large calls will be made upon the public funds before justice can be administered in the New Courts, and during all which time the suitors in Chancery will have to pay fees which ought to be abolished, and to put up with the two Courts of the junior Vice-Chancellors, so much complained of, without deriving the slightest benefit from the proposed concentration of the Courts.

"ST. LEONARDS."

PROTEST

Against the insertion of the words "Bridges over or" in Clause 14.

"*DISSENTIENT*:—

"1. Because these words are introduced for the purpose of sanctioning the erection of a bridge across the Strand to remedy the inconvenience (inseparable from the proposed site) arising from one of the most crowded thoroughfares in the metropolis being between the Temple and the new Courts.

"2. Because such a bridge in connection with the new buildings must be a most unsightly object if carried across the street in one span, and hardly less so if in any other manner, and will, in the latter case, perpetuate and perhaps add to the present Temple Bar obstruction, and the demand for which is as discreditable to the taste of the Templars as it will be to that of any authority which may hereafter permit it to be erected.

"REDESDALE."

JURIES (IRELAND) BILL—(No. 55.)

SECOND READING. BILL WITHDRAWN.

Order of the Day for the Second Reading read.

THE MARQUESS OF WESTMEATH, in moving the second reading of this Bill, explained that its object was first, to allow the verdict of three-fourths of a jury to be taken in cases of high treason, murder, petty treason, sedition, or any other felony or misdemeanor; and secondly, to give the Attorney General the power to order a new trial where there had been a disagreement of the jury, and to change the venue in those cases. On the last circuit in Ireland there was one continued and entire failure on the part of the Crown Prosecutors to carry out the law. In one instance eleven of the jury were unanimous in convicting, but one man kept them for twenty-eight hours, declaring that he would never convict any one of an offence against the British law. The Bill recited that—

"Recent instances of the failure of justice in Ireland have occurred through the disagreement of juries in cases where the evidence appeared to be of a conclusive character to establish the guilt of the accused,"

and that it is therefore,

"Evident that the existing law of trial by jury is insufficient and inadequate to protect life or property in Ireland."

Some such amendment of the law as he proposed was absolutely necessary in a country where a person might openly avow that he would not act upon his oath, and judge according to the evidence; where men were so reckless of the obligations of an oath, and where public rejoicings took place in some instances at the failure of justice in the case of prisoners whose guilt could hardly be doubted.

Moved, That the Bill be now read 2ª.—(*The Marquess of Westmeath.*)

EARL GRANVILLE thought that their Lordships would hardly be prepared in a thin House to pass a Bill introducing such an important change in the law. The proposal to dispense with the unanimity of juries, if good for Ireland, was equally good for England.

LORD KINGSDOWN said, he approved that part of the Bill which proposed to allow a majority of the jury to give a verdict, and he would therefore vote with the noble Marquess if he divided the House.

THE EARL OF DONOUGHMORE said, he could not support the first part of the Bill for altering the jury system; but he thought the second part, providing for a change of venue, well deserved the attention of the Government. At present a failure of justice was of no unfrequent occurrence through the want of such a provision. In one instance, in Donegal, a man had been tried three times for a capital offence; but such was the terror that existed that it was impossible to secure a conviction, and the man received a public ovation. Now if, after the first disagreement of the jury, there had been a power to change the venue to Dublin, a fair trial would probably have been secured and justice would have been done. In England this power existed, and had been exercised in the case of Palmer; and it would prove a beneficial power in Ireland. At the assizes in Belfast the other day there were a number of cases brought forward by the Crown, but party spirit ran very high in the place, and the convictions against both sides were very few. There would have been a much better chance of justice being done if the Law Officers had the power of removing the trials to places in which a more calm and dispassionate attention would be given to the evidence.

THE LORD CHANCELLOR said, the statute under which the venue was changed in the case of Palmer's trial enabled such a change to be made for the purpose of avoiding delay, and he was under the impression that that statute applied to Ireland also. If it were the case that the same power did not exist in Ireland, it would be a very proper subject of consideration whether a measure should not be framed with the object of remedying the defect.

LORD CHELMSFORD did not think that any such power of changing the venue existed in Ireland, and he agreed with his noble Friend behind him (the Earl of Donoughmore) that it was desirable that the power should be extended to that part of the United Kingdom. It would be very objectionable, however, to give that power to the Law Officers; it should be given to a Court of Law, which should have the right to determine in each case.

THE EARL OF BELMORE said, the power did exist in Ireland, and he himself remembered an instance of its application in the county of Monaghan.

THE LORD CHANCELLOR said, the matter should be taken into consideration, but suggested that the present Bill should be withdrawn.

THE MARQUESS OF WESTMEATH said, upon that assurance of the Lord Chancellor, he would not press the Bill.

Motion (by Leave of the House) *withdrawn.*

Then the Bill (by Leave of the House) *withdrawn.*

THE POLICE IN IRELAND.

RETURNS MOVED FOR.

THE EARL OF LEITRIM, in moving for certain Returns relative to the police in Ireland, said, that when the late Sir Robert Peel was moving the repeal of the Corn Laws he undertook, by way of compensation to the Irish agricultural interest, that certain charges relating to the police should be placed upon the Consolidated Fund, and that Ireland should be exempt from the operation of the income tax. The quota of police allotted to the agricultural districts had been diminished, and he now understood there was to be a further diminution of 150 men in the police of the agricultural counties, in order that this number might be given to the town of Belfast. This would be a double wrong. The Commissioners appointed to inquire into the Belfast riots recommended that there should be a Police Commissioner appointed in Belfast. It would be much better that Belfast should be made a county of a city, so that the inhabitants might have the control of their own police. The plan proposed would cause much dissatisfaction, would give the Government increased trouble, and would not answer the purpose that was designed. He trusted that the Government would re-consider this matter.

EARL GRANVILLE said, there would be no objection to the Returns being granted, except in regard to that portion included in a Motion already made by a noble Earl (the Earl of Donoughmore).

House adjourned at a quarter past
Eight o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, May 8, 1865.

MINUTES.]—WAYS AND MEANS — *Resolutions* [May 5] *reported.*

PUBLIC BILLS — *First Reading*—Turnpike Tolls Abolition * [128].

Second Reading—Borough Franchise Extension [32], *Debate resumed.*

Committee—Clerical Subscription.

Third Reading—Police Superannuation * [109]; Tories, Robbers, and Rapparees (Ireland) * [95], and *passed.*

THE 3RD. MIDDLESEX MILITIA.

QUESTION.

MR. DENMAN said, he wished to ask the Under Secretary of State for War, Whether the Junior Captain of the 3rd Middlesex Militia has recently been appointed to the vacant Majority of that

Regiment over the heads of the other nine Captains, some of them of many years standing; and whether such appointment has been made with the approval of the War Office or in accordance with the usages of the Service; if not, on what special grounds such appointment has been sanctioned.

THE MARQUESS OF HARTINGTON, in reply, said, it was true that Lord Chelsea, the junior captain, had been appointed to the vacant majority over the heads of the remaining captains. It was no doubt true as a general rule, but by no means an invariable rule, that such appointments should be made by seniority, but several reasons had been held sufficient to justify a departure from that rule, one of which was local influence and position in the county. The militia was essentially a local force, and the influence and position of the officers of that force were always taken into consideration. In the present instance the lord-lieutenant had represented to the Secretary of State that the position of Lord Chelsea in the county was such as to render it for the advantage of the regiment that he should be appointed to the majority, and the Secretary of State had, therefore, recommended the confirmation of his appointment.

CONDITION OF MINES.—QUESTION.

MR. KINNAIRD said, he would beg to ask the Secretary of State for the Home Department, What steps he has taken, or proposes to take, to remedy the very serious evils which have been brought to light by the evidence taken by the Royal Commission appointed to inquire into the condition of mines, and which was reported last Session.

SIR GEORGE GREY said, in reply, that the course which had been taken with respect to the Report was this. It had been thought right to confer with the Members of that Commission, several of whom were Members of that House, on the subject. On many of the points raised in the Report it did not appear possible that any legislation could take place, but there were other points on which it might be expedient to legislate, and he had accordingly called a meeting at the Home Office, when that matter was fully gone into; and it was decided by a majority of the Members of that Commission that with a view to the accomplishment of the object in question it was inexpedient that any hasty legislation should take place. It was necessary that the recommendation of the Commissioners, with respect to the county of Cornwall especially, should be more thoroughly discussed and the opinions of persons interested in mines in the locality should be obtained. That opinion, however, was not shared by his noble Friend (Lord Kinnaird) at the head of the Commission, who had proposed to introduce a Bill on his own responsibility, but for the reasons he (Sir George Grey) had stated the Government did not think it desirable to introduce any Bill during the present Session.

INDIA—EXPORT DUTIES.—QUESTION.

MR. CAIRD said, he would beg to ask the Secretary of State for India, Whether it is the intention of the Government in India to impose Export Duties on the more important staples of that country, and whether the Home Government approve of that course of policy?

MR. CRAWFORD said, he would also beg to ask the right hon. Baronet, Whether he has received any official account of the Financial Statement of the Indian Government in India?

SIR CHARLES WOOD: Sir, I have not yet received any official accounts of the financial measures proposed in India, but I have received private letters upon the subject, containing a copy of Sir Charles Trevelyan's speech and the Report of the proceedings of the Council of the Governor General by which the Act was passed imposing these duties. I must confess that the course which has been taken is directly the reverse of what I had reason to expect, and, moreover, that it is not the course I myself should have thought right to propose. I only received these letters yesterday, and, in point of fact, have not yet had time thoroughly to master their contents, but I quite agree in the opinion that on questions so much affecting the trade between India and this country, it is of the greatest possible importance that the commercial interests of this country should be informed, as speedily as possible, what it is intended to do. I therefore summoned together this morning as many of the Council of India as I could assemble for the purpose of giving the matter our best consideration, and I may now say that with their entire concurrence it will be my duty not to sanction the imposition of the Export Duties.

RUPERT'S LAND.—QUESTION.

MR. WATKIN said, he wished to ask Mr. Attorney General, If his attention has been called to a recent case in the Common Pleas, "Corbett *v.* Dallas," in which an action (against the late Governor of the Hudson's Bay Company) is brought by a person found guilty in 1862-3, of the crime of procuring abortion, by the regular tribunals of Rupert's Land, sentenced to six month's imprisonment, afterwards forcibly rescued from prison and now at large in this country; and, whether refugees from justice from "Rupert's Land" can exercise, under the present state of the Laws, a right of asylum in England or are liable to re-arrest?

THE ATTORNEY GENERAL said, in reply, that he had received no information at all upon the subject. With reference to the more general part of the hon. Member's Question the colony referred to stood in exactly the same position to England as any other British Colony, and any man escaping from it to this country could be arrested by means of a proper warrant issued by the local authorities.

INDIA—LOAN.—QUESTION.

MR. CRAWFORD said, he would beg to ask the Secretary of State for India, Whether it is his intention to propose any Loan in this country for the purpose of the Indian Government?

SIR CHARLES WOOD, in reply, said, it was not his intention to raise any Loan of the nature referred to by the hon. Member.

INDIA—THE LUCKNOW BOOTY.

QUESTION.

SIR STAFFORD NORTHCOTE said, he would beg to ask the Secretary of State for India, What was the total amount of the booty taken at the Begum's Coote, Lucknow, in December, 1858; what proportion of that amount was awarded to the troops by whom it was captured; whether the whole amount which was awarded has been distributed; and, if not, when the final distribution may be expected? He might just mention that there were a good many private soldiers in this country who believed that they were entitled to receive some money, and to whom it would be a satisfaction to learn their true position in respect to this matter.

SIR CHARLES WOOD, in reply, said, he believed that some £12,000 was found on the occasion referred to by the hon. Baronet, and that certain portions of the money were distributed among the troops by Sir Hope Grant under the orders of the Government. He was not aware that any money had been kept back, or that there was any further sum to be distributed.

MR. MASON JONES.—EXPLANATION.

LORD ELCHO: Sir, I wish to ask the indulgence of the House to a personal matter, arising out of the debate that took place in this House on Wednesday last, on the Borough Franchise Extension Bill. In the course of that debate I made a statement relative to what had taken place at an interview between the hon. Member for Bradford (Mr. W. E. Forster) and Mr. Mason Jones, as I was told, in the lobby. That statement I made upon authority which I believed to be sufficient, and the circumstances attending that interview appeared to be such as to justify my making the statement I did to the House. Subsequent to the debate I received a letter from Mr. Jones, in which he asked me for my authority, and said that I had misrepresented him. I declined to give up my authority, but I at once said, that nothing could be further from my intention than knowingly to misrepresent any gentleman, and that I should not have the slightest hesitation to express my regret publicly to the House for having misrepresented him. That led to a correspondence between us, and a meeting—and the result was, that the meeting ended in the most friendly manner, for we shook hands at parting. The part of the statement which I made, to which Mr. Jones takes exception was that part in which I stated that he apostrophised the hon. Member for Bradford in certain words, those words being "that he had no business to sit in that House." Mr. Jones said he did not use those words, and therefore I am bound to state that my informant in that respect was completely in error. With reference to the former part of my statement, in which I said that the hon. Member for Bradford had been asked to attend a meeting, and that on his declining to attend this meeting Mr. Jones addressed him in words to the effect, "Then, sir, we don't want you;" my statement on that point is admitted to be substantially correct; but Mr. Jones went on to say that he did not want the presence of the hon. Member for Bradford, because he would do more harm to their cause than good by attending the meeting, if he did not support the object of that meeting. It is but right that I should do justice to Mr. Jones by stating these circumstances, and by further stating that he himself had no knowledge of a meeting intended to be held of the working men on Easter Monday, and that the meeting to which this conversation referred was of a different kind. I have no hesitation in expressing my regret that I should have unintentionally misrepresented him in my place in Parliament, and I now do him the justice to say that, though he appears to hold somewhat wild and visionary views, he seems to hold those views, which he expresses openly and in public, with sincerity and with earnestness.

NAVY—DOCKYARD ACCOMMODATION.

QUESTION.

SIR STAFFORD NORTHCOTE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether his attention has been called to the Correspondence between the Secretary to the Admiralty and the Secretary to the Treasury relating to the proposed extension of Basin and Dock accommodation in the Royal Dockyards, from which it appears that an expenditure of more than £2,500,000 at Chatham and Portsmouth is in contemplation, of which sum not more than £90,000 has been provided for in the Estimates for the current year; and whether it is the intention of the Government to propose any plan to this House for providing for the remainder of the contemplated expenditure; if so, when such a proposal is likely to be made?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that his hon. Friend was quite aware of the history of the undertakings at Chatham and at Portsmouth, but the meaning of his question was in one respect not quite clear. If his hon. Friend meant to ask whether there was any plan on the part of the Government for a deviation from the system of providing year by year by Votes of that House for the expenditure of the year, he could only say that there was no such plan in contemplation; but it had long been felt in the public departments, and especially at the Admiralty, that a great disadvantage and waste of public money arose from attempts to limit the formation of contracts to the sums provided for by the House of Commons from year to year. The Government were anxious, if possible, to avoid that waste, and with that view they intended to submit to the House a Bill which, if adopted, would enable the Government in respect of the works at Chatham and Portsmouth, and possibly at other places, to enter into contracts extending beyond the Vote of the year, with a view to greater economy of the public money.

IRELAND—OPENING OF THE DUBLIN EXHIBITION.—OBSERVATIONS.

SIR GEORGE GREY said, that in the absence of his right hon. Friend the Chief Secretary for Ireland he could inform the hon. Member for the King's County (Mr. Hennessy) that he had received a letter from the Lord Lieutenant stating that the impression which appeared to exist in the mind of the hon. Member that he had struck out Irish music from the programme of the opening ceremony of the Dublin Exhibition was incorrect. All his noble Friend had done was to suggest that the musical performance should be shortened, in order that the ceremonial might not be too long. The music was all chosen from the works of Handel, Haydn, and Meyerbeer.

AZEEM JAH—(SIGNATURES TO PETITIONS.)

COMMITTEE. CONSIDERATION OF REPORT.

Order for Consideration of Report read.

Whereupon a Petition of George Morris Mitchell, for Consideration thereof, and for referring the case back to a Select Committee, was brought up, and read; to lie upon the Table.

MR. CHARLES FORSTER said, that the result of the Report of the Select Committee to which the Order of the Day referred, was that thirteen gentlemen whose names were attached to the petitions had appeared before the Select Committee, and had stated that they had given no authority to any person to sign their names, which had been affixed to the petitions without their knowledge. The Committee, which consisted of the Members of the Public Petitions Committee, had had the benefit of the legal experience of the hon. and learned Member for Suffolk (Sir FitzRoy Kelly), and he felt sure he expressed the general feeling of the Committee in acknowledging the great assistance which his hon. and learned Friend had tendered them throughout the inquiry. It appeared from the evidence before the Committee that Mr. John Strutt, acting as sub-agent for Azeem Jah, employed other persons to get up petitions in support of the Prince's claims, and that George Morris Mitchell was employed to procure signatures in various localities, including Westminster, Pimlico, Hackney, and the City of London; and although there was no evidence implicating Mr. Strutt in any fraud, the Committee felt bound to reprobate the mode he adopted for remunerating the agents—namely, by paying the 1*d*. for every signature they procured, this was a direct incentive to fraud, and derogatory to the dignity of the House. Mitchell employed his clerk, whose name was Marshall, and another person named Whitehead. The expert whose evidence was taken by the Committee, deposed that it was his conscientious belief, after examining the signatures and comparing them with the undoubted and undisputed writing of Mitchell, Marshall, and Whitehead, that Mitchell had written hundreds of the signatures, and that a certain number had been written by the other two. But the case against Mitchell did not rest there, because he had admitted that the first signature of the City of London Petition, that of Francis Robert Graham, was in his own handwriting, but he urged that he had Mr. Graham's authority for signing it. Mr. Graham, however, stated to the Committee that he gave no such authority, and up to the time of his appearing before the Committee did not know that his name was affixed. If Mr. Graham's evidence was to be believed—and he (Mr. Charles Forster) never heard evidence given which more bore the manner and semblance of truth—there was a clear case, independent of the evidence of the expert against Mitchell. The Committee, after a careful review of the whole circumstances, thought it their duty to report that a breach of privilege had been committed, and that Report was almost unanimously agreed to, the hon. Member opposite (Mr. Hennessy) being the only dissentient. The Committee having discharged its duty, it was now the duty of the House to decide what course should be taken. The right of petition was one of which the House ought to be specially careful. It seemed to him that this was an offence which struck at the root of a public right of the greatest importance, and one, therefore, which the House could not pass by without severe punishment. There were three modes in which the House had been accustomed to deal with offences of this kind. The culprit was either summoned to the Bar of the House and there reprimanded by the Speaker, which had been done in 1839, in the case of a Mr. Lovibond, who was found guilty of forging signatures to a petition for a Private Bill, and this was the mildest punishment inflicted; or, secondly, he was ordered into the custody of the Serjeant-at-Arms and brought to the Bar, as in 1825, when a Mr. Pilkington was charged with forging signatures to a petition respecting Roman Catholic relief; and in 1851, when John Strutt (the person concerned in the matter now before the House) and Charles Cunningham, who were found guilty of forging signatures to an Aylesbury election petition, and who, having expressed their contrition, were then discharged; or, thirdly, he was committed on the Report of the Committee to Newgate without being called before the House—a course which was pursued with Samuel Potts in the Hepworth case in 1840. [MR. ROEBUCK: Was he heard before the Committee?] Yes; but he was committed to Newgate on the Report of the Select Committee, without being heard at the Bar of the House. He presumed the House would think this a case to be dealt with after the manner of the third precedent he had named. He could not think it a case in which the offenders should only be reprimanded at the Bar, for they had had every opportunity before the Select Committee to offer any excuses or explanations. The cases of Whitehead and Marshall might be favourably distinguished by the House from that of Mitchell, as they acted under his instructions. When they had purged their offence by submission and contrition, it would be for the House then to say whether it would extend to them any measure of mercy and indulgence. The House would thus show that there was a reality in those privileges which they held in trust for the public, and that they could not suffer that trust to be invaded and invalidated.

Motion made, and Question proposed,

"That George Morris Mitchell, having fabricated signatures to several Petitions presented to this House, and having knowingly procured other fabricated signatures to such Petitions, has been guilty of a breach of the privileges of this House."—(*Mr. Charles Forster.*)

MR. HENNESSY said, that as the member of the Committee who had dissented from the Report, he wished to explain the reason of his dissent. He could not agree with the hon. Member for Walsall that Mitchell had been heard before the Committee in his own defence. It was not until the fourth day that Mitchell was before them, and he then, in answer to the Chairman, stated that he had only just seen the evidence. That was in consequence of a notice of Motion which he (Mr. Hennessy) had given that Mitchell should be furnished with a copy. The Chairman asked him whether he wished to see any particular evidence. He said he should like to see Mr. Strutts; in fact, that he should like to see it all. The whole of the evidence (fifty printed pages) was then given him, and he was told to retire and read it over, and if he desired to make any statement upon it that he could apply to be re-admitted. Then, Mr. Graham was called in, and cross-examined behind Mitchell's back, in his absence, although he desired to be confronted with him. This was a course which would not have been committed in any court of law. [Mr. Forster: We sent for him to come next day.] Yes, the next day Mitchell was to have been confronted with Graham, but then Graham was not forthcoming. Another point on which he dissented from the hon. Gentleman was that no questions had been put which would not have been put in a criminal court of justice. On the contrary, the vast majority of questions were such as no Judge would have allowed to be put. For instance, the hon. and learned Member for Suffolk, in Mitchell's absence, asked whether a certain signature looked like Mitchell's. The witness said, "I have seen two handwritings more unlike than this, but I would not swear to it," and then the hon. and learned Member put these questions—

> "You are not asked to swear to it. Do attend to the form of the question. You have stated that you are well acquainted with the character of Mitchell's handwriting. Look carefully at that signature of the name of 'Hawes,' and state whether you have any belief, or can form any judgment, one way or the other, as to whether that is in Mitchell's handwriting. Do not appeal to anybody else, but exercise your own judgment. From your knowledge of the character of Mitchell's handwriting (and you have apparently some of his handwriting in your hand), do you see any resemblance so as to enable you to form a belief one way or the other?—Well, I should not like to swear.
>
> "You are not sworn, you are only asked to speak to your actual belief. Do you see any sufficient resemblance to his handwriting to enable you to form a belief one way or the other?—I should not like to swear to it. I would not swear to it on any account."

And the hon. and gallant Member for Ayrshire (Sir Robert Anstruther) put this question—

> "But do you think that it is not so wholly dissimilar as to make you say, in your judgment, that it might not be written by him?—Decidedly not."

The expert, Mr. Nethercliffe, was called in and said he found traces of Mitchell's handwriting in the signatures to the petitions, and on the strength of his evidence the Committee found that they were forgeries. After Mr. Nethercliffe's examination Mitchell was called in, and, in reply to questions put to him, stated that he had not before seen the report of the evidence given on the previous day, and that he was most anxious to get copies of the names which Mr. Nethercliffe had pointed to as being fictitious. The list of names was handed to him. [An hon. Member: Who handed them to him?] He (Mr. Hennessy) put them into Mitchell's hand, and he said it was necessary for his defence that he should have an opportunity of calling the persons whose names were on the list. The room was then cleared, and a Motion was proposed declaring that the Committee had heard enough of evidence. To that Motion he (Mr. Hennessy) moved an Amendment declaring that Mitchell should have an opportunity of calling the persons whose names were on the list, and whom he wished to examine. His Amendment was lost by a majority of two, four voting against and two for it; and a subsequent Amendment for delaying the drawing up of the Report was lost by a similar majority. On the day the Committee met to consider their Report Mitchell was in attendance, with the names of the witnesses whom he wished to examine; but the Committee declined to hear further evidence. He had never seen Mitchell till he came before the Committee for examination, and since then he had not seen him till to-day, when Mitchell came to him in the lobby and handed him a list of names, saying he was prepared to prove by witnesses that in some of the cases referred to by Mr. Nethercliffe the parties had authorized him to sign for them, and that in others the petitioners had signed their own names. He added that he had had permission to sign for Graham. The man whom it was proposed to send to

Newgate had been denied the opportunity of defending himself, and had been condemned upon unsworn evidence taken behind his back, and in a manner wholly contrary to the privileges and practice of the courts of criminal law of this country. Having served on the Committee, he was loath to move any Amendment himself, but he hoped the House would not agree to the Motion of his hon. Friend the Member for Walsall.

Mr. ROEBUCK said, that in his reading of history he had come across a decision very like the present. In 1793 there were jurors appointed by the Committee of Public Safety, and they were told they need not hear evidence, as they were already sufficiently informed in the case which were to come before them. They did so, and people were executed under their decisions. If the statement of the hon. Member who had just spoken was correct, that was precisely what this Committee had done. He did not know one word about this matter, but the House were exercising a great penal power, and he advised them not to take one step without carefully considering to what it would lead. The accused said, and he was supported by a Member of that House that he had been denied the opportunity of being heard. The hon. Member for Walsall (Mr. Charles Forster) said the man had had every opportunity of being heard. He (Mr. Roebuck) wanted to know which of these statements was right. He was there a most helpless individual. He was at the mercy of the hon. Member for Walsall and the hon. Member behind him. One Gentleman declared distinctly that every opportunity had been given to the man of being heard, and the other declared as distinctly that the Committee decided that he should not be heard. They sat in that House as the representatives of a great body of people, whose pride was the impartiality of their Courts of Justice; they were about to exercise one the privileges of a court of justice, and send a man to prison; and were they not bound to take the same course of proceeding that a court of justice followed? He unhesitatingly appealed to the House to say in this matter that the House was not sufficiently informed.

Sir FITZROY KELLY said, he had, at the instance of several hon. Members, and also as a public duty, consented to serve on this Committee, and he must beg therefore to say a few words. The allegation was that in the great number of petitions, in eighteen from the metropolis and double or treble that number from other parts of the country, which had been presented in favour of the claims of Prince Azeem Jah, many of the signatures were fictitious. Inquiring as to the way in which these petitions got into the hands of the Members by whom they were presented, they found that Mr. Strutt, an agent of the prince, had been sending a number of petitions out to different parts of the country for signatures, but unfortunately he had also employed one or two persons to obtain signatures in the metropolis, one of those persons being Mr. Mitchell, who was formerly a servant of that House. As he (Sir FitzRoy Kelly) had submitted a Motion in support of the case of Prince Azeem Jah, it would of course have given him the greatest satisfaction if it had turned out that the charge of fabricating signatures was groundless; but in the course of a careful and impartial investigation it was clear to anyone who used his eyes that a number of the signatures to the petitions presented from the metropolis were in one handwriting. A great many of the signatures appeared to be in the handwriting of one person, and the resemblance to Mr. Mitchell's handwriting was such, that no Member of the Committee could for a moment have entertained the slightest doubt that that person was the fabricator of those signatures. Every opportunity had been afforded to Mitchell to make any statement in defence, but his answers to the Committee, from first to last, were evasive in the extreme, and on the last occasion when his attention was directed to the fact that there were nine or ten signatures to a particular petition which were represented to be in his handwriting, and he was asked whether he had anything to say, he was silent for a while, and ultimately gave some evasive answer. The Committee then reported that signatures to the amount of some hundreds had been annexed to the petition, and having compared them with the handwriting of Mitchell, they had no doubt that great numbers of those signatures were by his hand. He had gone into the Committee with an earnest desire to discharge his duty to the best of his ability, and he believed that their proceedings had throughout been conducted with great fairness and patience. He should at present be glad to find the House disposed to take a mild and merciful view of the case; but he felt bound to support the Motion of his hon. Friend.

LORD ROBERT CECIL said, he trusted that those hon. Members who had shown impatience during this discussion would bear in mind that they were dealing, not with an abstract question, but with a question affecting the liberty of a fellow subject. The question was, whether they should send a man to Newgate, and it would be a disgrace to the House of Commons if such a question were not entertained in the most patient and impartial temper. His hon. and learned Friend who had just sat down (Sir FitzRoy Kelly) stated that Mitchell had ample opportunity of giving evidence before the Committee. But that was the very point on which the House had to decide; and any one who read the evidence must, as it seemed to him, arrive at the opposite conclusion. Mitchell was examined on the last day the Committee sat, and he then declared that he desired two things —first, that he should have an opportunity of cross-examining his accuser; and, secondly, that he should be allowed to produce witnesses to show that the evidence of Mr. Nethercliffe was erroneous. One would naturally imagine that such a request would at once be complied with; but the answer of the Committee was that "they had already evidence enough to report to the House the result of the inquiry." Under these circumstances he could not vote for depriving that man of his liberty; and he begged to move, as an Amendment, that the Report be referred back to the same Committee.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Report of the Committee be re-committed to the said Committee,"—(*Lord Robert Cecil,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE ATTORNEY GENERAL said, that it would be as inexpedient for the House hastily to adopt the course suggested by the noble Lord as that proposed by his hon. Friend the Member for Walsall, because if there was one thing more desirable than another it was that the confidence of the House should not be unduly withheld from Committees to whom it referred inquiries of this description. The observation of the noble Lord led him to the conclusion that he had not very long or very fully or completely perused the evidence taken by this Committee, because there appeared to be parts of it to which his attention had not yet been directed. The proposition which he intended to make to the House was that they should not at that moment come to any conclusion, but that the debate should be adjourned for such a time as would enable hon. Members who desired to do justice both to the individual accused and to the Committee of that House to read the evidence and judge for themselves. It was, however, only due to the Committee that he should say that, although he had not been able to examine the evidence so carefully and deliberately as he should desire, he had, during the progress of the debate, discovered on the face of it some things which had not yet been mentioned, and which convinced him that the House would act both unwisely and unjustly if it was to assume that the Committee had dealt with Mr. Mitchell in the manner which had been represented by those who were only imperfectly acquainted with what had passed. He found from Mr. Mitchell's own statement that on the day on which his hon. Friend the Member for Walsall presented to the House the Report of the Committee on Public Petitions his attention was fully directed to his own position in regard to the matter. Before the Select Committee was appointed, he called upon the hon. Member for Walsall, and represented that Mr. Strutt had said that he had got into a mess about the petitions, and had asked him to take the *onus* entirely upon himself. The hon. Gentleman, as the House would imagine, replied that he could only deal with the matter as a Member of that House, and as the House directed. It was, therefore, clear that Mr. Mitchell knew what was his position, and how he would or might be affected by the inquiry. His friends also urged him to appear. [MR. HENNESSY: What friends?] Mr. Wyatt, his attorney, stated that on the day on which Mitchell was served with the Order of the House he advised him to attend the Committee. Mitchell was served with the Order of the House at the place of residence known to his employer; but he was not there, and there could be no doubt that from the time that the Committee sat till the day on which he was brought before them he was purposely keeping out of the way. The House had been led to suppose that there was no direct evidence against him; but more than one gentleman whose signature had been forged stated, some of them in the presence of Mr. Mitchell, that their names had been appended without their authority to petitions which had passed through his hands. Mitchell did not attempt to deny this, but said that he had employed clerks under him, and denied that he had himself forged any signatures. He was told that he should have the fullest opportunity of producing those clerks, but he said that it was the affair of the Committee, and appeared to think that he had better do nothing unless ordered. The hon. and learned Gentleman concluded by moving that the debate should be adjourned until to-morrow.

MR. W. O. STANLEY, as a Member of the Committee, said, that Mitchell had been convicted of forging signatures to petitions from Pimlico, from Westminster, and from another place, the evidence as to which he made no attempt to disprove.

Debate *adjourned* till *To-morrow.*

Petition of George Morris Mitchell to be *printed.* [App. 1.]

BOROUGH FRANCHISE EXTENSION BILL—[BILL 32.]

SECOND READING.

ADJOURNED DEBATE. SECOND NIGHT.

Order read, for resuming Adjourned Debate on Previous Question [proposed 3rd May], "That the Question, 'That the Bill be now read a second time,' be now put." —(*Lord Elcho.*)

Question again proposed.

Debate *resumed.*

MR. GREGORY said, he thought it must have struck every one who had either heard or read the debate of last Wednesday that accusations of insincerity were scattered with most remarkable profusion by almost every Liberal speaker upon almost every Liberal Member of the House. First, his noble Friend below him (Lord Elcho) accused the hon. Member who introduced the Bill (Mr. Baines) of being insincere, because on an occasion for testing the Liberal opinion of the House selected by the hon. Member for Brighton (Mr. White) he bolted from the House, and that with so much precipitation as to prevent the hon. Member with whom he came in contact from continuing the performance of his Parliamentary duties for that evening. Then the hon. Member for Huddersfield (Mr. Leatham) turned his attention to the Government, who, he said, were "deceitful above all things," and that the President of the Board of Trade was the "most desperately wicked" of them all. Not to be outdone, his hon. Friend the Member for Liskeard (Mr. Bernal Osborne) got up and said that the Government no doubt was insincere, but that all the so called Liberals in that House were just as insincere as the Government; and he (Mr. Gregory) was convinced that if there had been time for another Reformer to have addressed the House on that occasion, he would have declared that the three kingdoms of England, Scotland, and Ireland were just as rotten and insincere upon this question of Reform as the hon. Member for Leeds, the Government, and the Liberal Members who sat around him. He read a book the other day written by an American which was full of pleasant conceits, and in which it was said that the horse was a most respectable animal, but somehow or other he was always managed and looked after by a set of rogues. Now he (Mr. Gregory) could not help thinking that that observation would apply to Reform. Reform was a very respectable thing in itself, but somehow or other it appeared to him always to be managed and looked after by a set of —— insincere Gentlemen. The hon. Member for Leeds and the Liberal Members could protect themselves; but it appeared to him that the Government was unable to do so, and, therefore, although the other night the Chancellor of the Exchequer accused him of a disposition to pelt the Administration, he was about to stand up in their defence. In his opinion the Government had acted with regard to this question of Reform both with wisdom and with sincerity. They gave a pledge to bring in a Bill, and they brought a Bill in. They said that they would endeavour to carry a Bill, and he believed that they intended to carry it; but when they found that they had to contend not only with the formidable opposition of hon. Gentlemen opposite, which they were prepared to meet, but also with every obstacle which could be thrown in the way of the measure by their habitual supporters on that side of the House; when they found that the opinion of Members on that side, as expressed to them in conversation, was hostile to the Bill; and when they saw that the feeling throughout the country was one of perfect indifference, he thought that they were wise not to endeavour to force the measure down the throats of an unwilling House of Commons and an indifferent public. Now, upon the question of insincerity of which hon. Members had heard so much, he must say he firmly believed that the feeling on his own side of the House was not, as a general rule, in favour of such a Bill as that under discussion. He was no advocate of the Ballot, but he must admit that he should be glad to see that process, were such a thing possible, put into operation in the House of Commons on the present question. If that were done, and if the question put were whether the Reform Bill of the hon. Member for Leeds should be staved off for ten years, he believed that the revolution of opinion which would be observable on the Liberal side of the House would be something perfectly astounding, and not only that, but he felt assured that the verdict which would be pronounced would be received with the greatest complacency by the country. The reason why that would be so was sufficiently clear. The various constituencies, like the House of Commons, were pretty evenly divided, and very little was required in order to throw the balance into one scale or the other. In every constituency there was a small, active, noisy body of politicians who had considerable weight in the elections; and those gentlemen persuaded themselves—and, what was worse, persuaded others—that they were the sole high priests and depositories of Liberal traditions and opinions. When, therefore, any candidate happened not to come up to their standard, they declared that he was below the regulation height of Liberalism, and the result was that many candidates were induced to give pledges which they did not like when given, and which they devoutly hoped they might never be called upon to fulfil. On the other hand, in those constituencies, there were men who had fought the battle of Reform from their youth upwards, who had advocated the great changes which had been introduced into the Constitution of the country, not for the sake of change, but because the state of things was so utterly intolerable before the passing of the Reform Bill that they preferred almost the risk of a revolution than that they should remain as they were. It would have been impossible for them to have effected those remedies which were so sorely needed in every joint of our social and political system, without the most extensive alteration in the composition of the House of Commons. These men, who were the fiercest and the foremost in the cause of Reform, are now looking at the effects of their work, and if they rest it was not because of any repentance of their past course, or from any unwillingness to move forward hereafter in the path of progress, should they deem further reforms to be necessary. They but act as Englishmen were wont to act in matters of the kind—with instinctive prudence and moderation. They turn their eyes aside from mere theories and abstract argument, and when they look at the great edifice of liberty and prosperity reared up in the country they were content, and did not, like Frenchmen, seek to pull such a fabric to the ground in order that each man might build it up again in accordance with some theory of his own. Such was the secret, in his opinion, of what was called Conservative re-action, and the election of so many so-called Palmerstonian Conservatives, that is, men quite prepared to move on with the times, but not prepared without rhyme or reason to run violently down steep places and be choked in the sea of democracy and universal suffrage. Now, his right hon. Friend the Member for Calne (Mr. Lowe) in the speech which he had made on Wednesday last had shown he thought as clearly as reasoning could accomplish, that the present Bill must, if adopted, be a step in that direction. Nay, more, not only would the Bill be the first step in the direction of universal suffrage, but universal suffrage must be the inevitable consequence of its passing into a law. That proposition he would not attempt to prove by any abstract argument. It was sufficient for him to say that the transfer of power from one stratum of society to another—which he would prove the Bill would effect — must have the result for the proof of which he was contending. In the first place, there was not one single logical argument, if they descend to the £6 franchise, on which any one could rely to escape going on to manhood, or even to womanhood suffrage; in the second place, once power was transferred from one class to another no one had any interest in limiting the number of that new class. In Finsbury and the Tower Hamlets, for instance, the whole electoral power lay in the £10 voters, and it made no earthly difference whether there were 23,000 or 45,000 in the former, or 50,000 instead of 25,000 in the latter. It should also be borne in mind that the working classes through their representatives most distinctly announced that even if they accepted the present Bill they would do so looking upon it only as an instalment—that it was utterly unsatisfactory, and that the moment it passed there would be a renewal of their agitation. Witness the Bradford petition and the words of Mr. Potter to the hon. Member for Birmingham, informing him that the working classes would not go with him for anything short of manhood suffrage. He had had a pamphlet presented to him a few days ago written by a gentleman who was well known for his extremely liberal opinions, who, he believed, possessed the confidence of the working classes, who wrote with great vigour on their behalf, and who, in speaking of half measures, and the Bill of the hon. Member for Leeds, said—

> "The speakers at the late Bradford meeting, Mr. Stansfeld, Sir F. Crossley, Mr. Baines, and Mr. Forster, pleaded for no more (Mr. Stansfeld alone gave advice which would secure more) than the partial enfranchisement plan—a policy which palters with the popular hope, which fears to look the light in the face, which offers the least measure that can be called an improvement, settles nothing, and perpetuates the old disappointment. . . . No partial enfranchisement can produce direct political improvement unless large enough to effect a substantial transfer of power. . . . There may be no reason to refuse partial enfranchisement; but it would be as indecent in the working classes to exult in it as it would be in ten men who were taken from a wreck by a choice of the captain, and who should throw up their caps in the face of all those left to their fate."

These were the words of Mr. Holyoake. Now, that was, he thought, the best answer which could be given to the statement of the hon. Member for Huddersfield (Mr. Leatham) that the present was a measure liberal and broad enough to meet the requirements of the time. Those, then, he maintained, who advocated such a change as the Bill proposed ought to be prepared to show, first of all, in what the Reform Bill had failed; they must show that the House of Commons had neither the power nor the desire to take the necessary steps in the path of progress; that the country under the present system does not advance as it ought to do in wealth and power; that the wants and wishes of the masses are neglected; that ability and intelligence are crushed down by the depressing influence of rank and social distinctions, and that it was, therefore, expedient that political power should be transferred from the classes now possessing it—the upper and middle—to the lower classes. That being done, it rested with the advocates of the Bill to show that the proposed transfer would result in an equal or a greater amount of liberty than that at present enjoyed, in the production of more correct notions with regard to commerce and the imposition of taxation, and in as good a guarantee for peace and general security. When he was convinced that such would be the operation of the Bill he should have the greatest pleasure in voting for the second reading; but until then he should continue to be as obstinate and impenitent as he was at that moment. He had stated that the Bill would have the effect of transferring the power in boroughs from the upper and middle to the lower classes. It was admitted that the number of borough voters was at present 440,000; but if from that number the metropolitan and University constituencies, which would be scarcely at all increased under the Bill, were deducted, there would remain only 275,000; to which would be added by the Bill, according to calculations which have been made, about 240,000. Of that number it had been proved by the papers which had been laid before the House of Lords that two-thirds occupied houses of a rental between £6 and £8. How, then, he should like to know, could it be contended that the Bill would not effect in boroughs a transfer of power from those who now possessed it to a different class? In thirty of the larger constituencies the addition would be from 100 to 400 per cent, all of whom would consist of the lowest classes. The difficulty would then be to prevent the matter from going further. If the Chancellor of the Exchequer were correct in saying that on those who exclude from the franchise rests the *onus* of proving unfitness, how could any one except a ticket-of-leave man be excluded? If they extended the franchise to £6, a man renting a house at £5 10*s.* might oftentimes with reason urge that he was better educated, that he contributed equally to the revenue of the State, or drank more pots of beer, than his neighbour who possessed the franchise because he rented a £6 house. The whole question was, in reality, one of expediency, and it was from their overlooking this fact that the Gentlemen who argued the matter upon abstract grounds involved themselves in such difficulties. Looking at the question in an abstract point of view he felt disposed to agree with Mr. Mill in his advocacy not only of a manhood but also a womanhood suffrage—he could see no reason why Miss Martineau or Miss Cobbe should not be as competent to elect Members of Parliament as any individual of the present constituencies. Mr. Mill could conceive nothing more abhorrent to his mind than the domination of one class over another, and in order to prevent that domination arising from his proposed extension of the suffrage he had proposed a system of make-weights, balances, complexities, and perplexities, which the country never would tolerate for one moment. He (Mr. Gregory) believed that if they accepted the measure before them they accepted at the same time an almost immediate advance to, an enormous and unrestricted suffrage, and they ought to be prepared to look the result steadily in the face. He was perfectly aware that those who did not approve the Bill were charged with being unwilling to admit the working classes to a share in the representation. That charge, however, was unfounded. He himself could have accepted the pledge of 1859 without the slightest hesitation or misgiving. He was prepared for the extension of the franchise both in boroughs and counties, because he believed that the admission of a considerable number of the working classes would be of the greatest advantage. He believed that they would find among the working classes a greater amount of honesty of purpose, a greater independence of thought, and a greater probability of their being guided in their selection of representatives less by motives of petty self-interest than influenced many among those holding the £10 franchise. He would be quite prepared himself to advocate any measure which after due inquiry would extend the suffrage to the most respected and most trustworthy of the working classes. This was exactly the point, however, for which this Bill did not satisfactorily provide. To call those illiberal in their views who opposed the Bill simply because of that opposition was to do nothing more than to confuse Liberalism with Democracy. Liberalism was a process of the mind, Democracy a form of Government. There might be Liberalism without Democracy, and unquestionably there might be Democracy without Liberalism. He believed if the most enlightened of the working men were consulted as to the manner in which the deserving of their class should be admitted to a participation in the electoral franchise, they would declare themselves in favour of some kind of fancy franchise, though no one appeared yet to have decided what that franchise should be. He was emboldened to make this statement from what had been written by Mr. Holyoake. ["Oh!"] An hon. Member exclaimed "Oh," but it should be remembered that Mr. Holyoake was an out-and-out, root-and-branch, Radical. The pamphlet before him contained numerous allusions to the "serfs" and the "slaves," who at present had no share in the election of our representatives, and the admission which he would quote was therefore all the more valuable. Mr. Holyoake said—

> "The National Reform Union of Manchester does propose an extension of the suffrage 'to every householder or lodger rated or liable to be rated for the relief of the poor.' A Bill which included all this would do and would end the agitation. But there is no such Bill drawn. There is no Member who would introduce it. Nor is there any probability of carrying it. The Union gives no sign of preparation or persistency for carrying it. It would require a revolution to carry it. The Union does not mean this. It does not even confront, nor even discuss the grounds of opposition to such a Bill. Its programme runs in the old, tiresome, tame, wearying, struggling, discouraging Radical rut. It proposes a suffrage without guarantees for its qualified action. It gives to the working class the numerical majority. I am not one who believe that the working class would ever vote down the men of property and education. But they might do so. No absolute guarantee can be given that they never would do so, and the men of property and intelligence would have, if this Bill passed, to trust to this event not occurring. They would hold their liberty and interests on sufferance. They would be in the same position in which the unenfranchised now are. Objecting myself to hold my liberty on sufferance, I should be most reluctant to put this risk on the educated and wealthy class. No class ought to be put in this position. No class ought to submit to it. Now, this is the real dilemma which exists. This dilemma the National Reform Union neither recognizes nor provides for. This formidable difficulty no Radical orator meets. This is why the Reform question stagnates and remains where it is. Everybody at times feels this difficulty, yet no one on the side of Radical Reform dares look it in the face, or has the courage to state it, or attempt to meet it. How can it be met except by adopting Mr. Mill's proposal of giving the wealthy and educated classes the protection of cumulative votes? or by acting on Earl Grey's suggestion of giving to the unenfranchised classes a special number of Members who should share in the representation without swamping it? Liberal M.P.'s and the Liberal press appear to have set their faces against such indispensable plans, caricaturing them as 'fancy franchises' as though a vast and protective suffrage, which obviated an overwhelming difficulty, could be so described."

And now for Mr. Holyoake's opinions upon the Bill before the House. The writer continued—

> "I know towns where ardent Reformers are themselves afraid of an unqualified suffrage. Good Radicals, the most thorough of their class, have said to me, 'There is a mob in our town (there is in every town), ignorant, selfish, venal, and reckless of principle; had they all votes, our present Liberal Members would be unseated at the next election. They would vote against those who seek to raise them.' This is a general feeling in Liberal boroughs. Now there is no plan of a £6 suffrage which selects the worthy and excludes the base. All £6 suffrage is blind; and hence we have Radicals arguing feebly and fearing much the result of the very measure they plead for. Surely this is political imbecility. This is the real dilemma which ought to be put an end to by adopting a plan of protective suffrage, of which the only opponents are Radicals whose policy has long undergone petrefaction."

In a question of such vital importance as the one before the House he believed it to be necessary to make various inquiries among the working classes themselves, with a view to discover in what manner their wishes would be most satisfactorily met. He believed this could be effected. He believed that a plan might be devised for admitting the best of the working classes to the franchise—he should be glad to see them admitted into that House in the ordinary course of representation. He never did entertain the sentiment so prominent in the mouths of Whig politicians, "Everything for the people, but nothing by the people." For his own part, he would wish to see the representatives of labour confronted with the representatives of capital, and he felt quite sure they would always receive at the hands of the House of Commons that attention to which they were entitled. But he maintained that if this could only be accomplished by the disenfranchisement of proprietors, merchants, bankers, manufacturers, professional men, and the more intelligent shopkeepers of England, the non-admission of some of the working classes was of the two the preferable evil. If the former classes were disfranchised they would be disfranchised for good, whereas the working classes, owing to their prosperity, the enormous rise in wages—the opening of foreign commerce, the opportunities presented to every man of character and intelligence—might, at least in a great number of cases, qualify themselves to become members of the electoral body. He remembered a conversation he once had with one of the most clear-headed men he ever knew—the late Sir Benjamin Brodie—who was what was called an advanced Liberal; but upon this question of the suffrage he was inexorable. Adopting the views of his noble Friend (Lord Elcho) and the right hon. Gentleman the Member for Calne, Sir Benjamin Brodie called this a "pot of beer" question, that half the workmen now excluded from the franchise could obtain it by the sacrifice of a few pots of beer during the year, and he maintained that it was for those who sought to gain admission to the franchise to show that they were qualified, and the best test of qualification would be a power of self-restraint. Sir Benjamin Brodie was not of the opinion of the Chancellor of the Exchequer that the *onus* of proof rested with those who wanted to withhold the franchise, but that it lay with those who asked for it; and no better proof could be given than that frugality and care which enabled a man to raise himself in the social scale.

There were certain matters upon which all Liberals were agreed, certain great objects which all sought to attain and maintain — among the chief of these were liberty, peace, enlightened views with regard to commerce and the distribution of taxation, and the purity of election. He would invite the House to consider, before they passed this Bill, how these matters stood in countries where democratic institutions existed. First, as to the question of liberty—liberty to think, liberty to write, liberty to speak whatever the mind might suggest. Let them look at the great Republic of the West, and he would ask, without in the least intending to say anything at all disrespectful, whether thought itself there was not paralyzed and utterance checked unless such thought and utterance happened to run on the groove of what was called popular opinion. Take one illustration — during the last few years in America even, imputation which malice could suggest had been unsparingly lavished upon England, and yet the friends of the North in that House had always said that we did not know the real American feeling, and that there was a strong under-current in favour of England. He believed that to be true; but what a comment was afforded upon the want of liberty that existed in that country as regarded the free expression of opinion when it was found that, throughout the United States, not a single man had ventured to raise up his voice and say, "You are traducing and maligning a country which, under the most unparalleled pressure from at home and abroad, has striven to maintain a perfect neutrality." How different was our case during the Russian war. There was no attempt to stifle the expression of opinions on the part of Mr. Cobden and others who opposed that war; but the statement of their views, though utterly opposed to popular opinion, was received with respectful attention. Then, as to the question of peace. His hon. Friend near him (Mr. Baines) said, if the Bill passed the chances of peace would be increased and the dangers of intervention would be lessened. He knew it had been said that wars were entered into for the purpose of providing dignities and advantages for the sons of the upper classes; but he would ask whether as much blood had been poured out and treasure wasted in the whole course of Wellington's campaigns as had been lavished during the last four years of war in America—and yet, according to the dictum of Earl Russell, the war in America was waged for purposes of Empire, and certainly that could not be in any degree imputed to the Duke of Wellington's wars. Let him, however, not seek illustrations from American doings, but from what had occurred very recently at home. When the Polish insurrection broke out meetings were held all over England by the trades' unions, and resolutions in favour of going to war with Russia were passed. He remembered being present when a number of trade delegates met the noble Lord (Viscount Palmerston) at the head of the Government in the lobby of the House. They came to express the wishes of the bodies with which they were connected, that war should be waged against Russia. The noble Lord asked them had they well weighed the scope of their demands, whether they were aware that war meant increased taxation, diminished employment, disturbance of capital and other serious evils; and they replied that they were quite aware of these things, but that still they desired that we should go to war. He did not mean to deny that if the Government of this country had been exclusively in the hands of the upper classes we might not last year have engaged in a war for Denmark against Germany; but that showed the danger to be in either extreme, and he rejoiced that the Government was neither in the hands of an aristocracy nor of a democracy, but on the broad basis on which it at present rests. Then as to commerce. He would ask those who supported this Bill whether they believed that by extending the suffrage or by transferring power to the working classes more enlightened views would prevail upon the subjects of commerce and the distribution of the national burdens. Why, when in America the Free Trade South broke loose from the Protectionist North, the first proceeding of the latter was to establish a prohibitive tariff of the severest character. The Western States—producing States—agreed to sacrifice their interests to those of the iron manufacturers of Pennsylvania, and all America clothed itself in shoddy for the benefit of the cotton-spinners of New England. He was aware that the hon. Member for Birmingham (Mr. Bright) said that that was the doing of the middle classes in the United States, and that "the commercial classes of America, like the same classes in other countries, from the uncertainty of their possessions and the fluctuations of their interests, are always timid and almost always corrupt." They seemed to have conquered their timidity, but they might have remained timid and corrupt to all eternity, and the prohibitive tariff would not have passed, but for the innate proneness of the multitude to protection in every ramification of the commercial system. What were they to think of the political wisdom of a country in which Mr. Sumner, one of the burning and shining lights of New England, in advocating the repeal of the Reciprocity Treaty, gravely announced that the American producer annually paid as a gift to Canada 17,000,000 dollars, because the Customs' duties on American manufactures came to that amount. But they need not draw examples of the tendency of the multitude towards this short-sighted and selfish policy from America alone. If we looked to our great Australian colonies, where the Government was in the hands of the masses, what did we find? There we have no small boroughs, no restricted franchise, no open voting; it was what the Americans called clear grit, and no mistake. They are the example so continually held up to us. We are told we are in our dotage, and should be guided by our children—and what were they doing? Why, they were making "ducks and drakes" of all those principles which free traders had been urging for so many years. It was no wonder that the Associated Chambers of Commerce were scandalized and astonished, and that the hon. Member for Bradford (Mr. W. E. Forster), to whom they appealed, was equally astonished and grieved. He was informed that a successful endeavour had been made to impose a protective duty upon every article of consumption that was manufactured in Victoria, and so determined were they to maintain a protective system that they would not allow a Bill to pass which was intended to remedy the inequality of the sexes in that colony. Here was an extract from an Australian local paper—

> "An effort was made by Mr. O'Shanassy, in the Assembly, to obtain a grant of £50,000 this year in aid of assisted female immigration. We regret to say the proposition was defeated, partly through the opposition of the Government, but chiefly through the selfishness of the ultra-democratic section of the House. It is a fact that the males in our population outnumber the females by no less than 150,000. Of course, good female servants are scarce, and in demand at rates of wages varying from £30 to £40 a year. The want of a continuous flow of immigration into our territory is one of the main causes of those occasional perils of stagnation in trade and commerce of which the mercantile community, both here and at home, have reason to complain. It really seems at present to be hopeless to expect anything like generous, public-spirited, and far-sighted legislation from our Assembly. This is one of the penalties which must everywhere be sometimes set against the enjoyment of perfect popular freedom."

No doubt some one would say—It is unfair to reason from the acts of people born and bred in a new wild country, a country so backward in its physical conformation that it may reflect some of its own backwardness on its inhabitants. It must be remembered that the men who do these things were born in England, that they have in Australia the same instincts and prejudices they had in England; and the same class in England would exercise their power in the same way as they were doing in Australia. One argument had been used, that though the mass of working men might make bad representatives they would be sure to choose good men. He had a letter from Australia, in which there was the following passage, describing the class of persons chosen in Australia:—

> "We have all been aghast, like England, I suppose, at Gladstone's Reform speech. What does he mean by talking of lowering the franchise? If he had seen it work, as we have in these colonies, to our bitter cost, he would not have talked such ——." Here was a complimentary epithet he would not repeat. "We have had our Parliament dishonoured and degraded by the wretched place-hunters and demagogues that a low suffrage has forced into power, and Victoria is trying to retrace her steps and to raise the suffrage again as the only path to legislative respectability and efficiency. We have seen here the best men among us, of position, education, public spirit, stainless integrity, beaten hollow by publicans, railway porters, ex-ploughmen, stump orators, and adventurers of every grade. People in England who do not know the colonies often say or think, 'Oh, but things are so different in the colonies!' and picture our 'best men' successful diggers, or vulgar rich people but little above what Radicals call 'the people.' You know it is not so. You know what sort of men Haines, Sladen, Farie, Sturt, Slawell, Macknight, and others of the same stamp are. Well, under vote by ballot and universal suffrage there is not one of these, except Haines (and some men always get in), that would have the ghost of a chance with the lowest ruffian who had money enough to pay for nobblers, or words enough to tell lies to an ignorant and selfish mob."

He appealed to the hon. Member for Salisbury whether that was a correct representation of the facts. [Mr. MARSH: Hear, hear!] The Chancellor of the Exchequer said it would be centuries before the English people would act in the spirit of democracy, or would forget the old traditional reverential feelings; but he forgot that, of all the States, Virginia, the first founded, and in which there were some old ties and a local aristocracy, went fastest down the steep when democratic institutions were introduced into America. The hon. Member for Huddersfield (Mr. Leatham) had argued that the radical differences of opinion were so great among working men that they would perpetually differ among themselves, and that there would be every chance of a Tory slipping in. Certainly, if they looked at what had occurred in the late strike, they would find the working men did differ, but it was the wisest and most moderate of them who were overruled; and when any great class question arose could there be a doubt but that there would be the most complete union among them? On one point they had been distinctly warned—that on one point there would be a complete union among them, and that was the re-adjustment of taxation which had been sketched out by the hon. Member for Birmingham in very clear terms. Here was an extract from a speech of that hon. Gentleman, which foreshadowed that union—

> "Every man who goes to your colonies repudiates your policy, repudiates your debts, and thanks Heaven that he has at last found a country where industry can have its reward, and where men calling themselves statesmen are not using every engine of Government to deprive him of the produce of his industry and to diminish the comforts and independence of his family. And you, landed proprietors of England, rember that, however many of your countrymen may emigrate,

> your acres remain, and you will have by-and-by a different tone in this House after another reform in Parliament. Your succession duties will be overhauled, and will not be got rid of so easily as at present. Your property tax, which you are assisting the Chancellor of the Exchequer to throw over, will come back in an increased proportion. When they have the power, as they shortly will, to lay takes on those who have spent the money, you may depend on it the poor will not always go to the wall, and the rich will not always escape."

The last point on which he would touch was one on which all Liberals were united —purity of election. Mr. Holyoake said that bribery was the rich man's convenience, and would never be put down by a rich man's Parliament; but here was a spirited description of what happened at an American election which he had cut out of the *New York Times*—

> "Providence, Wednesday, April 4, 1860. Beyond a doubt the continued Democratic and Conservative Republican Ticket is successful in this State. The greatest excitement has attended the election, and every device which party tactics could suggest has been employed by both parties to secure their success. The open purchase of votes has been a remarkable feature of the day. The voters when led up to the ballot-box would with one hand drop the ticket, and with the other receive the bribe. The negro vote rated high, some coloured brethren receiving fifty dollars each. Individuals of comparative wealth declined to vote unless paid to do so. Voters publicly put themselves up for purchase. Bids would commence at ten dollars and run up to fifty dollars. Great goodhumour and merriment prevailed all day. The excitement was intense. Bands of music, banners, decorated waggons, and hired conveyances of every description paraded the streets from early morning till now. The announcement of Padelford's unsuccessful attempt to bribe the town clerk of Cranstone undoubtedly lost him a large vote. In other towns wholesale bribery was even more open and outrageous. Bonfires, cannon, liquor, cash, and excitement abound. The Democrats are rejoicing that, with their registry taxes all paid by the Union party, they will go into the Presidential fight stronger than ever. Good order has been maintained throughout. Everybody drinks, but everybody appears to be used to it."

All these things had been well considered during the last few years and had sunk deep into the heart of every reflecting man. That was the reason why the cry for Reform had fallen cold and dead upon the country. A few honest, well-meaning enthusiasts had been for the last few years flogging the dead horse, but not a stir could they get out of him. Every honest and intelligent member of the working classes knows that he can and will obtain the suffrage, and though he may be anxious to extend it, yet he cares not to lower it to the level of the ignorant and debased. The real danger to the Constitution did not arise from the discontent of those who had not the franchise, but from the apathy of those who had it. They would give up resistance because there was clamour; but it was fear which magnified that clamour. He asked them to call to mind some of the questions on which there really had been clamour in this country. Let them take the Ballot. They remembered when it was the test and stamp of the true Liberal, and that it was actually carried by a majority of the House. What was it now? The subject of one speech each year. The question was always disposed of before dinner time, and even the most advanced Liberals in the House cracked their joke upon it. Then let them look at the Church. Thirty years ago many Churchmen were ready to give the struggle up as lost; pamphlets were written which declared that the Church was at an end, and a large party in the Church were ready for a dismemberment which seemed inevitable. But in what position was the anti-Church agitation now? Why had it failed? Because the Church had struck its roots deep into the hearts and affections of the people. Hon. Gentlemen warned them not to be deceived by the ominous and suspicious quiet which now prevailed, and reminded them of former days—of what happened before the passing of the Bill of 1832. But the House knew perfectly well what was the state of things at that time. Intolerable abuses existed; there were sinecures and pensions; the narrow, jobbing, municipal system which prevailed came home to the feelings of every single individual, and the country was aroused and was thoroughly in earnest. But what was the condition of the country now? There was tranquillity everywhere, and upon every subject, and that tranquillity was due to the conviction that there was a House of Commons able and willing to deal with every abuse and grievance. To talk of the great agitation of 1832, when Birmingham threatened to march on London with "the Bill, the whole Bill, and nothing but the Bill," and to compare that with the cackling of Leeds at the appearance of this young David of Reform who with a few little round pebbles from the brook, offered to give battle to the anti-Reform Philistines, which it was to be presumed the Leeds people felt unable to do themselves. And now when Mr. Mill offered himself for Westminster, even with a certificate from Mr. Beales, he has found it necessary, as it appears, to have it countersigned by Lord Amberley. It is not by *duodecimo* politicians such as this that organic changes in England's Constitution were to be made. The stern, earnest Reformers of 1832 were different from this. They were something more than catalogues of complaints, encyclopædias of unimportant facts, common-place books of crochets and devices to settle the most momentous questions. Such men as England had in 1832 England always would have when she was aroused; but such men England had not now because she was not aroused; and it was because he believed England would not be roused to the support of such propositions as those contained in the measure now before the House—that she would not endanger the great edifice of social liberty and prosperity which she had reared—that, without faltering, misgiving, or hesitation, he would say "No" to the Motion to read this Bill a second time; but equally without faltering, misgiving, or hesitation, he would say "Aye" to any Bill which would provide for the enfranchisement of those of the working classes who were entitled to the confidence of the country.

SIR GEORGE GREY: Towards the close of the debate on Wednesday last an appeal was made to the Government to state explicitly the course which they proposed to take in reference to the Motion of my hon. Friend the Member for Leeds for the second reading of this Bill; and also to state their general intentions and opinions with regard to the question of Parliamentary Reform. Sir, the Government are not prepared to dispute the reasonableness of that demand; and they are prepared to give an explicit answer to the appeal which has thus been made to them. A great many hon. Members on the opposite Benches who were here at the close of the debate on Wednesday were not in attendance at the commencement. Had they been here before they would have known that the Motion for the second reading and the Amendment for the Previous Question had not been put from the Chair till an advanced hour of the day; and that after they had been put only three speeches were addressed to the House. It was clear to me through the whole debate that it was impossible but there must be an adjournment. By desire of my Colleagues I had come here, in the absence of my noble Friend at the head of the Government, to take part in the debate; but I did not think it would be becoming in me to stand in the way of the two or three Gentlemen who were anxious to state their opinions. We are here now, Sir, to answer the appeal which has been made to us, and also to answer the charges which have been brought against the Government for their conduct on the question of Parliamentary Reform. I am afraid that what I have to say will not meet with the entire approval either of the warm supporters of the Bill on the one hand, or of its determined and strenuous opponents on the other. And here let me say, as to those opponents, I think the course which they have taken in reference to this Bill has been not quite as fair and straightforward as might have been desired. Well, what is the question which we have now to decide? On the one hand, a Motion is made for the second reading of this Bill; on the other hand, there is no Motion for the rejection of the Bill, but only an Amendment for the Previous Question, although the spirit of the argument of the noble Lord who moved that Amendment (Lord Elcho), and of my right hon. Friend who supported him (Mr. Lowe), is this—that under no circumstances and at no time are they prepared to extend the franchise by lowering it. But what is the principle of this Bill? The principle of lowering the franchise; and therefore I say that the noble Lord and my right hon. Friend have not taken the opinion of the House in the straightforward manner they might have done. My hon. Friend who has just addressed the House (Mr. Gregory) goes further; for, forgetting that the Amendment was "the Previous Question," at the close of his speech he said he was prepared to say, "No," to the Motion for the second reading. I must observe likewise that my hon. Friend and those who preceded him in opposition to this Bill have not stated the case fairly. They assume, without any proof whatever, that the necessary or, at all events, the probable tendency of any Bill to extend the suffrage by lowering the value of the house which gives a right to vote, would be to endanger the Constitution, to imperil the monarchy, and to substitute in the place of that mode and form of Government for which every day we have more reason to be grateful, a system of pure democracy. My hon. Friend who spoke last has assumed that the necessary tendency of this Bill would be to Americanize our institutions, and he referred to the Australian colonies, where universal suffrage prevails, in support of his views. I can only say that if Her Majesty's Government thought that was the necessary or even the probable tendency of the principle contained in the Bill of my hon. Friend the Member for Leeds, they would at once have asked the House to reject it, and I am sure that in taking that course they would have had the hearty approbation and concurrence of a majority of the House and of the people of this country. Let me now say a few words in reply to the charges made against Her Majesty's Government for their conduct in respect to the question of Reform. Let me go back a little further than my hon. Friend went, and let me call the attention of the House to what took place in March, 1859, when the Government of Lord Derby proposed a Reform Bill, and the second reading was moved in this House. On that occasion an Amendment was moved by Lord Russell, who pointed to two alleged defects in the Bill proposed by Lord Derby's Government. Lord Russell's Resolution distinctly asked the opinion of the House on a particular proposition. The first part of his Amendment pointed to the alleged unsatisfactory manner in which the Bill dealt with the freehold franchise as exercised in the counties. With that question we are not now immediately concerned. But the latter part of his Resolution pointed directly to the absence in the Bill of any provision by which the working classes or any portion of them could be admitted to the franchise by a reduction of the amount necessary to confer it. I do not now allude to the county franchise; but the debate on the borough franchise was in substance this :—Shall we attempt to introduce some of these classes by means of fancy franchises—franchises now unknown to the Constitution ?—(I do not mean to say anything as to the merits of those franchises now, as that may form the subject of debate at another time)—shall we endeavour to let in a portion of the working classes in this way, or shall we effect our object and admit a considerable number of them by lowering the franchise ? On that question, after a protracted debate, the House came to a division, and pronounced a deliberate decision; and that decision was adverse to the Government of Lord Derby. What course did the Government of Lord Derby take ? They advised Her Majesty to take the opinion of the country upon the subject. Accordingly Parliament was dissolved, and a new one met in June, 1859. A Speech was delivered from the Throne which held out the expectation of another Parliamentary Reform Bill being proposed by that Government on a future occasion, but stated that such a Bill could not be then introduced on account of the advanced period of the year. The Address in answer to the Speech was moved by the hon. Member for South Lancashire (Mr. Egerton), and no person more fitted for the purpose could have been chosen by the Government to represent them, regard being had to his position and to the fact that he represented a mixed constituency comprising large agricultural, commercial, and manufacturing interests; and coming fresh, as he did, from his election, he may be taken to have fully represented those interests and to have spoken in their name. What did he say with regard to these questions which had been the subject of contention in Parliament before the dissolution — questions upon which this House had entertained and had distinctly expressed its opinion ? Why, the hon. Gentleman, who we well know had received information from Government with respect to their intended measures, said, with reference to the promised Bill for Parliamentary Reform—

> "I shall not discuss the character of that measure till it is brought forward ; but I have reason to believe that there certainly will be in it a diminution of the borough franchise. I do not know what it is intended to do with regard to the counties ; but as far as my opinion goes I should wish to have, to a certain extent, a diminution of the franchise for both counties and boroughs. I think the objects of such measures should be as they have been proclaimed before the country, to give the working classes a share of the electoral franchise.—[3 *Hansard,* cliv. 102.]

The hon. Gentleman made that statement in moving the Address in reply to the Speech from the Throne on behalf of a Government which, before the dissolution, had distinctly refused to accept the principle that there should be a lowering of the franchise. But what did the right hon. Member for Bucks say on that occasion ? The right hon. Gentleman, the organ of the Government and leader of the House, said—

> "The question of the borough franchise must be dealt with ; and it must be dealt with, too, with reference to the introduction of the working classes. We admit that that has been the opinion of Parliament, and that it has been the opinion of the country as shown by the hon. Gentlemen who have been returned to this House. We cannot be blind to that result. We

do not wish to be blind to it. We have no prejudice against the proposition. All that we want is to assure ourselves that any measure that we bring forward is one required by the public necessities and will be sanctioned by public approbation and support, and therefore we are perfectly prepared to deal with that question of the borough franchise and the introduction of the working classes, by lowering the franchise in boroughs, and by acting in that direction with sincerity, because, as I ventured to observe in the debate upon our measure—if you intend to admit the working classes to the franchise by lowering the suffrage in boroughs you must not keep the promise to the ear and break it to the hope."—[3 *Hansard*, cliv. 139.]

I ask, could there be a more explicit admission that the opinion of the country had been against the then Government as to the question upon which the issue had been taken? Could there have been a more frank or a more unqualified acceptance of that verdict, and avowal to act upon it sincerely? Well, then, if not only this House but the Government of Lord Derby absolutely pledged themselves to the principle of lowering the franchise, is it fair to say that this Government alone is pledged to it, and has abandoned and broken its pledges? The right hon. Gentlemen was dealing with the question of Want of Confidence in the Government, which was moved as an Amendment to the Address. He distinctly admitted that the country had shown its wish that the suffrage should be lowered, and he said he would yield to the desire of the country and give effect to its views if the House would give the Government its support. The House refused to give them its support; it refused to pass a Vote of Confidence in Lord Derby's Government. A change of Government took place, and the present Government came in—and I here admit that they did so on distinct terms. They were pledged, to the same extent that Lord Derby's Government would have been had it obtained a majority, to lay a Reform Bill including the principle of a reduction of the franchise before the Legislature. Well, we did propose a Reform Bill, which was, I contend, a complete redemption of the pledge we had given. We proposed that Bill, without loss of time, on the 1st of March, and the second reading was moved by Lord Russell after giving ample time for its consideration. What took place on that second reading? The right hon. Gentleman (Mr. Disraeli) rose immediately after the Question for the second reading had been put and said, that though objecting to many parts of the Bill—implying that he did not object to its principle—he was not prepared either as an individual or as the organ of his party to offer any opposition to the second reading of the Bill: and after it had been in the right hon. Gentleman's hands for three weeks he was not prepared to move one single Amendment. We had reason, under these circumstances, to expect that the House, accepting the principle of the Bill, would have allowed us to carry it through. But at the next stage, adjournment after adjournment took place in opposition to the repeated protests and entreaties of the Government [*Laughter*]—I do not disguise the fact—showing that the Government at least were sincere in their endeavours to carry the Bill through the House. Such were the tactics by which the passing of the Bill was delayed; and in saying so I do not refer merely to the course pursued by the Gentlemen opposite, but also by those sitting on this side of the House. After many nights' debate the second reading was at last agreed to without a division. Whitsuntide was approaching—it was necessary to take some Votes in Supply, and the earliest day that could be fixed for going into Committee was the 4th June. On the 4th of June the Motion was made for going into Committee on the Bill for its details to be considered; when those who allowed the second reading to take place without opposition met us with Motion after Motion of a dilatory character, no man venturing positively to oppose it in ignorance of what might be the feelings of the country upon the question. It then being the middle of June, the Government, after several nights' debate, finding that they had not the slightest chance of carrying the Bill, were reluctantly compelled to withdraw it. The hon. Member for Leeds (Mr. Baines), with an innocence for which I should not have given him credit, expressed his astonishment that the Government should have allowed the Bill to drop, and hoped that the Government would not allow this opportunity to pass without explaining their reasons for dropping it. My answer is that the Government used its utmost endeavours to carry that Bill, but that they felt that they should be merely wasting the time of the House in endeavouring to maintain a supposed consistency by carrying on the Bill in the face of those protracted debates and of the manifest determination of the House, while offering it no direct opposition, not to pass it. Now, I ask whether Government was not fully justified in the course they took in withdrawing the Bill when they did? I ask whether the country expressed any disapprobation of the conduct of the Government on that account? On the contrary, the Government was supported by the House in the course they had adopted, and the House by the public opinion of the country. I hope my hon. Friend the Member for Leeds will be fully satisfied with my reply to his question. The hon. Member for Huddersfield (Mr. Leatham) singled out the President of the Board of Trade for his severest censure, not only for taking the course he did as a Member of the Government, but also for the reasons he gave in justification of his conduct at a public meeting of his constituents. I think those reasons are amply sufficient to justify our acts, and I believe they have recommended themselves to the country. Believing that the feeling of the country and of this House is not that which my hon. Friend the Member for Halifax considers essential to the passing of an efficient Reform Bill, there not being that persistent and overwhelming expression of the opinion of the country by which alone such a measure could be sustained, we did not, merely for the purpose of maintaining an appearance of consistency, go on Session after Session submitting a Bill of this kind to Parliament with the certainty before us that the only practical result would be that public business would be obstructed, and that the Government would be prevented from discharging the duties they owe to this House and to the country. Sir, I believe that the Government would not have been justified in pursuing that course, and, therefore, I am prepared to defend their conduct, believing, as I do, that it has met with the approbation of the country. Has the country expressed any want of confidence in the Government? Has the House withdrawn its confidence from them? They amply redeemed the pledge which they gave, by proposing a Bill framed in accordance with the opinions which they had expressed, and they only withdrew that Bill when they saw that neither the House nor the country wished that it should be pressed. The hon. Member for Halifax (Mr. Stansfeld), whose sincerity as a Reformer no man can doubt, has taken office in the Government. He is a highminded and honourable man, and no one will venture to say that he would have identified himself with the Government if he had believed that they had upon this question broken their pledges and abandoned their principles. But since that period other measures for the extension of both borough and county franchise have been proposed by independent Members. My hon. Friend the Member for East Surrey (Mr. Locke King) has proposed the extension of the county, and my hon. Friend the Member for Leeds (Mr. Baines) has several times proposed the extension of the borough franchise. Government have offered no opposition to the introduction of those Bills. They have thought that, although they did not feel justified in themselves submitting measures to Parliament for those purposes, they had no right to stand in the way of hon. Gentlemen who differed from them in opinion as to the feeling of the country. Nor have we offered any opposition to the second reading of those Bills. We have at all times been ready to affirm the principle that there should be an extension of the suffrage by lowering the franchise to a certain extent both in counties and boroughs. But the House has not accepted those measures, and I think their fate has afforded sufficient justification for the course which the Government has taken in not asking Parliament to consider a general measure of Reform. We are again asked by my hon. Friend to agree to the second reading of this Bill; and how is it met? I put aside altogether the Previous Question, because that is not the real question that we have to decide. We are asked by the recent arguments of those who oppose this Bill to reject the principle involved in it. We are asked, in fact, to say that at no time, and under no circumstances, shall the borough franchise be lowered and the working classes admitted to it. ["No, no!"] Does my right hon. Friend the Member for Calne (Mr. Lowe) say No? The "Noes" proceed from Gentlemen who most vociferously cheered the able and forcible arguments of my right hon. Friend; but I think that no man who cheered those arguments can say that he is now or, without a great change of opinion, can become an advocate of any reduction of the borough franchise. I agree with my right hon. Friend in much that he said in that very able speech. I agree with what he said about abstract rights to the franchise, and universal suffrage; but those questions are not in debate now. I agree with him that it is desirable that the working men should look upon the attainment of the suffrage as an object of some ambition, and should be induced to deny themselves some indulgences in order to acquire it; but I cannot agree with him in thinking that the amount of £10 which was fixed more than thirty years ago at the time of the Reform Act is an immutable figure. I cannot agree with him that any departure from a £10 franchise in boroughs must necessarily lead to democracy, to the subversion of our institutions, and to all those evils which he so forcibly depicted. His speech was very similar to some of those which were heard in opposition to the Reform Bill of 1832. There are now very few Members of this House who had seats in it at that time, but some of us are unfortunately old enough to remember the debates which took place then, and which, if we did not hear them, we all read with the deepest interest. The very same arguments were then used against Reform as are now urged against the lowering of the franchise. It was then said, "If you place power in the hands of the £10 householders, you have begun a downward course which must land you in pure democracy." No doubt those who expressed such opinions sincerely entertained the belief that the only safety of the country lay in the rejection of that Bill, and that it was a dangerous and revolutionary measure, which would entirely subvert our institutions. But what has been the result? The part of the speech of the right hon. Gentleman the Member for Calne which I liked best was that in which he enlarged upon the immense advantages which have been conferred upon the country by the Reform Act of 1862—being a falsification of every prediction which was hazarded by those who opposed it. What proof has my right hon. Friend given us, not that universal suffrage would lead to democracy, but that some reduction of the Franchise would? We are not dealing with universal suffrage, and when my hon. Friend who last addressed the House spoke of Mr. Holyoake he should have said that he was an advocate of universal suffrage, and that the Bill prepared by some Manchester Association, and which, he said, would endanger other classes and deprive them of their share of power, was not the measure now under discussion, but a Bill for the establishment of universal suffrage. What we think, and what we thought when we introduced the Bill of 1860, is that, looking at the intelligence of the upper class of the working classes, and at the improvement which has taken place in their habits and character from the education which has been so widely diffused among them during the last thirty years, the time has come when it is right to consider whether a portion of those classes should not be admitted to the suffrage by means of lowering the qualification which now very much confines it to the middle classes. In one breath we are told that a large number of the working classes are admitted under the existing franchise, and in the next that it is unsafe to admit any portion of them. I ask whether in those cases to which the noble Lord (Lord Elcho) has referred, in which a large number of the working classes are included in the constituencies, the result of the elections has been such as to justify the apprehensions which he entertains as to the consequences which would follow if the same proportion were admitted in others? I believe that the idea of a reasonable extension of the franchise in boroughs leading to democracy and endangering our institutions is perfectly fallacious. I believe that it will be safer and wiser to widen the basis of representation as far as we possibly can within reasonable limits, by admitting those who have proved themselves qualified to exercise the franchise. We, therefore, cannot agree with those who propose to reject the Bill because they object to the principle contained in it; and it is a principle which we have always accepted. We have seen no reason to doubt that the course which we took in 1860 was in itself a right course. We have seen no reason to suppose that the number of electors which we calculated would under that Bill be added to the constituencies was an unreasonable or a dangerous number. We believe that that number might have been admitted, scattered as the electors would have been over all the boroughs in the kingdom, with safety to the Constitution, with satisfaction to large numbers of the working classes, and, therefore, with additional security to our institutions. In that view the Government will, as they have before done, with a view to affirm the principle that there may safely be, and that there ought to be, a reduction of the borough franchise, vote for the second reading of the Bill of the hon. Member for Leeds. I wish, however, that that should not go for more than it is worth. If it is intended that the Bill of my hon. Friend—that the £6 franchise in boroughs—should be applied as a political test at the elections which are now not far distant, that is a test which Her Majesty's Government will not accept. We feel that we are not bound, without further consideration, to the adoption of a £6 franchise, although in connection with other alterations in our electoral system we proposed it in 1860. We now only affirm the principle that there may be beneficially and usefully made a reduction of the borough franchise; but to what extent that reduction should go, and with what other alterations in the electoral system it should be combined, are questions which any Government dealing with the subject are bound to take into consideration. I do not reject the £6 franchise. I only say that I, for one, and that Her Majesty's Government, will not go to the hustings at the general election pledged to support a £6 franchise. They are of opinion, with the right hon. Gentlemen opposite, that there ought to be such a reduction of the borough franchise as will in all sincerity admit a considerable portion of the working classes; but they reserve to themselves the discretion, which they would be unworthy of their position as a Government if they did not reserve, of considering when the question comes practically before the House after the second reading of the Bill what the reduction should be, and with what guards it should be accompanied. With regard to the question of Parliamentary Reform generally, I need hardly state after what I have said that we do not go to the country pledged to any particular measure. We must upon this subject reserve to ourselves the fullest liberty to act upon our principles according to the circumstances of the time and the opinion of the country. We are not pledged to, and we do not intend to ask the support of the country as the advocates of, a great measure of Parliamentary Reform. I wish to be explicit. It would be idle to say that we would introduce a certain measure when we do not know what may be the opinion of the next House of Commons upon the subject, or to commit ourselves irrespective of the opinion of the House and of the opinion of the country to propose a large measure of Parliamentary Reform, which the House may be as disinclined to pass as it was before, and which the country may not desire. We should gladly avail ourselves of any such persistent and overwhelming expression of opinion upon the subject as the hon. Member for Halifax (Mr. Stansfeld) says is essential to the passing of a Bill, but we are not prepared to go to the country as the advocates of a measure of Parliamentary Reform without reserving to ourselves a discretion to act upon that matter, as upon all others, as the interests of the country may require. That appeal is not far distant. We shall appeal with confidence to the general opinion of the country. The country will have an opportunity of expressing its opinion as to how the Government has been conducted by the present Administration. We shall not shrink from that appeal, and by its result we shall willingly abide.

Mr. W. E. FORSTER: Sir, the right hon. Gentleman began his speech by saying he would tell the House what he would do with reference to this subject, and what would be the future policy of the Government in regard to it. Now, I ask is there any Gentleman on either side of the House who, having heard that speech, has any idea what that policy is to be—except a policy which I never expected to hear from any Treasury Bench, and still less from the present one—namely, that the policy would be regulated by their interest in the Government. I am glad that this question has been brought forward. I have always felt that there was little chance of this Bill being carried in the present temper of the House; but I did think it would be the means of raising the whole Reform question before the House. We have the Reform question now before the House, and the chief point we want to know is, not what the Ministers will do in the support of this particular Bill, but to know whether, at the election speedily coming, they are or are not a Reform Ministry? We who are called upon to support them want to know whether we shall be supporting a Reform Ministry. We who sit on this side of the House have a right to know who we are supporting; and the hon. Gentlemen on the other side, who have only recently ceased to be Reformers, have a right to know who they are opposing. What has the right hon. Gentleman told us about that? He repeated the pledge made when the present Ministry came into power in 1860. Are they released from that pledge? I will not attempt to measure the amount of sincerity shown by them or their supporters; but does the fact that they brought forward a Bill and withdrew it release them from the pledge given on this Reform question? Who has the power of releasing them from that pledge? Has my right hon. Friend who sits near me (Mr. Horsman), who was no party to the contract, the right of releasing them from that pledge? Still less the right hon. Gentleman the Member for Calne (Mr. Lowe), for he was one who made it. Can the hon. Members who sit behind the Treasury Bench, and whom my noble Friend (Lord Elcho) was pleased to call the orthodox Liberals—though I am disposed to think that the great majority of the Liberals would not be inclined to accept his definition of orthodox Liberals—can they release the Government from the pledge? No, unless their constituents do. Well, what we want to know when we come before our constituents, and what the constituents wish to know when the Members come before them, is whether, in returning what is called the Liberal party to support what is called a Liberal Ministry, they are or are not supporting a Reform party determined to carry a Reform Bill? I may be told that we need not ask this question; that the country has already decided; that we will hear nothing of Reform at the next general election, and that there will be no attempt to pledge Members to it. Now, is there any hon. Gentleman on this side—are there many hon. Gentlemen on the other side—who do not suppose that the great majority of Members on the Liberal side of the House at any rate will come back after the next election as much pledged as they are at this moment to carry a Reform Bill? My noble Friend the Member for Haddingtonshire (Lord Elcho) talked about getting rid of what he called the noisy section of his constituents, and he was followed in that by the hon. Member for Galway (Mr. Gregory). I do not suppose that there is much noise made in Haddingtonshire on this matter, or in Galway on any subject, except on the Galway contract; and it is therefore safe and very easy for hon. Gentlemen representing distant places in Ireland and Scotland—small constituencies—to make those remarks. But is there any Member for a large and popular constituency, whether of town or country, who does not know that when he comes before them he will be asked why it is a Reform Bill has not been carried in this Parliament, and that he will not be allowed to return to represent the Liberal party until he says that he will go back determined not to be trifled with any longer, and that he will do his best to have this question settled. Of course we cannot tell until the election how far there is or is not a Conservative re-action. I believe it to be immensely exaggerated; but I do not deny the possibility of that position. But if the majority of the country be anti-Reformers, and if we on this side of the House are in a minority—as we have often been before, but only to be in a majority in the end, let it be acknowledged, and let the responsibility rest on the majority—anything is better than allowing the question to be trifled with as it has been. The noble Lord talked in the absence of my hon. Friend the Member for Birmingham of his efforts to set class against class; but of all the efforts made to set class against class I know of no effort more insidiously made than that made of late in regard to this Reform question of setting the middle class against the working class and telling them that it is unsafe to admit the working classes to power. But I believe, except to a very slight extent, that effort has been unsuccessful. I will not say that it has been altogether unsuccessful, but I am prepared to accept the consequences, and if we should find ourselves in the minority we shall acknowledge it, and we shall let the real majority in the constituencies be governed by leaders who represent their feelings and their views, and not by leaders professing to belong to us. But supposing that the election has taken place, and that, as I say, the large majority of the Liberal party remain pledged upon this question, what is to be done then? Are these pledges to be trifled with again in another Parliament as they have been in this? I think there will be a general feeling on both sides of the House, whatever is to be the decision on this Reform question—whether the admission of a large portion of the working classes to a share in the representation of the country is to be decided in the affirmative or the negative—that the way in which the Government have met it to-night, by saying that they will wait for the popular applause or popular mind to indicate how the country goes, will not be the way in which it will be thought satisfactory to meet it. There will be a feeling, I believe, among all men who wish well to their country that it is necessary seriously, earnestly, and sincerely to debate the question and to bring it to an end in the next Parliament, instead of treating it as we have done in this. I will just give the House one or two reasons why I believe it is not wise to trifle with the working men any longer on this question. The noble Lord the Member for Haddingtonshire said he knew the feeling of working men very well. I do not dispute his knowledge, but I think it would be very much my own fault if my knowledge was not greater. I have known the working classes all my life; I have known them as a Captain of Volunteers, if there is anything in that; I have been in the habit of conferring with them in deputations; I have been asked to settle labour disputes between them and their employers; for the last twenty years I have sympathized with them in their political movements. I have constantly attended their meetings, sometimes agreeing with them, and sometimes differing—very often the latter—so that I think no person ought to know better than myself what is the feeling of working men upon the Reform question in the district from which I come, and in which there is a good deal of feeling. Comparing their present with their past feelings on this question, I cannot but regard the change with regret. I remember the Chartist time, when there was a very violent disorderly feeling amongst them, and in some respects the present state of feeling is still more to be regretted than it was then. I remember the time when I had the greatest possible difficulty in an open air meeting in Bradford to get the working men to accept a resolution not to use physical force, but I did get them to accept it. But that old Chartist agitation was founded upon that which was perfectly unreasonable, and the workmen found it out. They thought that they would be able by some alteration in the machinery of the Government to increase their own material prosperity. They got rid of that idea. But what is their present feeling based upon? It is a feeling the House cannot afford to look upon with indifference. It is a feeling amongst the best of them that they are excluded from the rights and duties of citizenship; that they are alienated from the Constitution, and by your treatment of them you are making them look to another country as though it was their native country. I have taken a decided view in favour of the North throughout the late struggle, but I regret as much as any man can do to hear the working men looking to America as their future home. I regret as much as any hon. Member can this state of feeling on the part of the working men; but I say that while we continue this policy—above all, if we accept the policy of the right hon. Gentleman the Member for Calne, which seemed to proceed upon the principle that on no conditions can they be admitted, you will have, as it were, two nations in this country—the one consisting of the upper and the middle class, and the other the large body of the working classes—the one proud of its connection with the Constitution, and the other looking forward to how soon they could get away and become citizens of a foreign country. We have been taunted with the indifference of the working classes towards this Bill; but if you force the working men to a working men's agitation it will not be for this Bill—it will probably be for manhood suffrage. If they are excluded as a class and feared as a class, they will agitate as a class and demand admission as a class. Assuredly the wise plan would be to admit the *élite* among them, the leaders of their movements; for, though they would be generous enough to say that they would not accept such a Reform as the full measure of working men's rights, yet in that way any demand for a greater extension of the suffrage must be put off for a long period—so long indeed as to do away with any arguments for further delay. In his speech last year the Chancellor of the Exchequer said—

> "It may be fearlessly asserted that the fixed traditional sentiment of the working man has begun to be confidence in the law, in Parliament, and even in the executive Government."—[3 *Hansard*, clxxv. 322.]

Could that be said now? Nothing had happened to shake their confidence in the law; but confidence in Parliament on the Reform question they had not, and that was the reason why they had never taken the trouble to present any petitions in favour of this Bill. As to the executive Government—in the right hon. Gentleman as yet they had confidence—but in the executive Government they had not, and certainly the speech of the Home Secretary would not remove any feeling they might have on that point. What could be more calculated to increase their distrust than the speech of the right hon. Member for Calne? The right hon. Gentleman, at the conclusion of his speech, said—

> "I venture, however, to make this prediction—that if they do unite their fortunes with the fortunes of Democracy, as it is proposed they should do in the case of this measure, they will not miss one of two things. If they fail in carrying this measure, they will ruin their party; and if they succeed in carrying this measure they will ruin their country."—[3 *Hansard*, clxxviii. 1439.]

Close upon four or five years the right hon. Gentleman joined in this conspiracy against his country—what has occurred to induce him to change his mind? I do not believe that he has changed his mind, for I acquit him of such a want of sincerity and patriotism as to retain office under a Ministry which he believed to be bent on taking a course which would prove ruinous to his country. I believe the right hon. Gentleman held the same opinions then that he holds now—I believe the real explanation of the right hon. Gentleman's conduct to be that he had confidence in the Government of which he was a Member, and he knew that they were not in earnest in seeking to carry a Reform Bill. I am persuaded that if the right hon. Gentleman had had reason to think otherwise he would not have continued in office to be instrumental in bringing about what he conceived to be the ruin of his country. "You must either ruin your party or ruin your country." Better let the party be ruined rather than have measures brought in in such a manner and so treated by the Government. Better let the party be disbanded and re-organized with fewer Members than that it should be false to its own principles. Let the right hon. Gentleman go over to the other side of the House, and take the position of leader of hon. Gentlemen opposite—a position which he is evidently so worthy to fill. Let all those follow him who concur with him in opinion, and let those who remain behind, conscious of the justice of their cause, fight their way, should they be in a minority, until they had placed themselves in the position of a majority. Better far to take that course than, to go on under leaders whose action leads to the impression that the Liberal party in this House no longer represents the feelings and wishes of their constituents. It may be said that I am losing sight of the speech of the right hon. Gentleman the Chancellor of the Exchequer. I am not forgetting it, nor will the country forget it, but I cannot lose sight of this — that my right hon. Friend, though the most eminent man in the Ministry, is not the leader of the Ministry, and does not appear in the absence of the noble Lord as the captain of the ship. He is not the first lieutenant, but an eminent officer in the vessel. My right hon. Friend cannot help replying to the speech of the right hon. Gentleman the Member for Calne—which he must feel was chiefly directed against himself; and I hope he will answer the question—to which no reply has yet been given, and to which, if no reply be given, will be repeated again and again until the Government will regret that they have passed it over in silence—to what port is the ship going—whether is it the harbour of Reform or not? Putting party considerations aside, the real point at issue is that with which my right hon. Friend (the Chancellor of the Exchequer) so ably dealt last year, when he said—

> "The present franchise, I may add, on the whole—subject of course to some exceptions—draws the line between the lower middle class and the upper order of the working class. As a general rule, the lower stratum of the middle class is admitted to the exercise of the franchise, while the upper stratum of the working class is excluded. That I believe to be a fair general description of the present formation of the constituencies in boroughs and towns. Is it a state of things, I would ask, recommended by clear principles of reason? Is the upper portion of the working classes inferior to the lowest portion of the middle? That is a question I should wish to be considered on both sides of the House."—[3 *Hansard*, clxxv. 324.]

The question now is, and will be at the approaching election, whether this state of things is to be allowed to continue? And how has it been dealt with in the present debate? The hon. Member for Galway (Mr. Gregory) has told the House that in many boroughs the effect of the proposed change would be to swamp the present constituencies. That statement will, however, I believe, be found not to be correct. Although some three or four boroughs may be converted more or less into working-class boroughs, generally speaking the constituencies will be very little affected by the operation of the measure. I know we are met by the assertion that it is not so much anything in this measure that would do any great harm; but, say our opponents, we fear the precedent you make for future action; we fear the tendency in which you are going. Now I think it is well that all who support the extension of the franchise should speak out with candour, and I, for one, must honestly acknowledge that I do not fear the tendency of this measure, and that I do look forward to a much greater eventual concession of the suffrage. Why do I look forward to it? I do not wish to argue the question on any ground of *à priori* right which *The Times* seems to think that the speech of the right hon. Gentleman the Member for Calne has disposed of for ever, but which has long been the subject of discussion, and which is, after all, based upon a feeling in the heart of men of which no speech of the right hon. Gentleman, however eloquent it may be, can get rid. But be that as it may, I would simply, for the purposes of my argument, maintain the policy of the proposed concession on the ground that I look upon it as a just and natural development of that Constitution of which we are all so proud. I hardly like to quote so old fashioned an authority as *Blackstone*, but it is a fact worthy of the consideration of the House that the opinion of that learned person was that in a free State every man was a free agent, and ought to be in some measure his own governor. Have the supporters of the present Bill, I will ask, advanced any opinion so democratic as that in its tendency? But, be that as it may, what ought to be the tendency of our legislation upon the question of the franchise? In my opinion it ought to be that as education advances so must the suffrage be extended. Let the working classes, in addition to their power of organization and their numbers, but once possess the advantages of education, and no influence in the country will be able—or eventually will, I think, desire to exclude them from the right to exercise the franchise. Not fearing, then, as I certainly do not, the tendency of the Bill, I am under no apprehension of those difficulties which it is said it will bring about between employers and employed in reference to the question of wages. At present we, the employers of labour, have the power of legislation, and what assistance does it give us? Every man who is practically acquainted with the employment of labour knows that the interests of the labouring classes, even though they should be admitted to the franchise, would be so diverse that it is not probable—that it is not even possible—that there could be a great combined movement among the great wage receiving classes of the community to obtain from Parliament some legislative measure for their own interests. In conclusion, I will say that, although my name is on the back of this Bill, I am not a bigoted supporter of its provisions. The right hon. Gentleman the Home Secretary says the Government will not go to the hustings pledged to a £6 franchise. No one wishes to pledge them to the test of a small measure like this. If we could have reason to believe that they were intending to grapple with the whole question of Reform in a fair, candid, sincere, and determined spirit, that is all we want. By voting for this Bill the House will support the only proposition which seems likely to include that portion of the working classes within its scope which every one professes a desire to include. If there was any other mode by which that object could be effected, let a proposal be made to accomplish it; but any measure of this kind must be a fair and sincere attempt to settle the question, and must not appear to give the working men votes without really attempting to do so. You cannot attempt to extend the franchise without lowering the suffrage, and if it be a sincere and candid measure I believe the working men will be willing fairly to consider it. You call this Reform the progress of democracy. I call it the development of that true principle of liberty which is the basis of our constitution. But take your own word, "democracy." You may take three ways of dealing with it. You may concede to this democracy by degrees, taking in one section after another as they become educated, this would be the wise plan. Or you may resist it altogether, which I believe would be suicidal policy. But the third course you must entirely avoid, because it will fail in every respect. Do not attempt to cheat it. I must say that many plans which are proposed do look like attempts to cheat it. The right hon. Gentleman the Member for Calne (Mr. Lowe) sees through these attempts, and acknowledges them to be ineffectual. You may say to the working men that you consider them as children and not fit to exercise the rights of manhood; but if you admit that they are men you must treat them as men. You cannot thrust half-a-dozen of them together and call them a man. If they are fit for the franchise, the fact that there is a great many of them does not make them unfit. I say if they are qualified the more the better. You have, therefore, to consider whether you will yield to this progress or resist it. To resist, I believe would be suicidal. I was reading lately an article in, what I believe is regarded as the great organ of the Conservative Party, *The Quarterly Review*, which looked like the first edition of the speech of the right hon. Gentleman the Member for Calne. Only the right hon. Gentleman stopped short and said, concession rather than civil war; but the article said No; civil war rather than concession. I do not look forward to anything so terrible, because I know the result will be as it has been. We may be again in a minority—it may be some time before we are able to secure a majority of the constituencies; but we shall eventually, and you who now oppose will be glad when we do. I have sufficient confidence in your patriotism, and you cannot help learning from what is going on around you. You must know that the working men cannot be banished from self-government here, and the same men obtain it everywhere else. Whatever assistance you may get from letters from Tories in Australia, or from parties who it may be have suffered privations from the American war, the fact comes home to you that the man who obtains no share in the franchise here, when he finds himself away from these shores finds himself enjoying the full prerogative of citizenship. Whatever sympathy hon. Members may feel for the one part or the other in the United States, one lesson must be drawn on both sides from the American war, and that is the enormous strength that a country obtains by the united feeling of its inhabitants and by patriotic feelings influencing all the people. If England is to maintain her position as the first Power among nations, she must be first in the freedom of her people. The right hon. Gentleman the Member for Calne may sneer at that freedom as a mere sentiment, but upon that freedom depends the power of the country. If England is to be the first of the great English-speaking countries, which seem more and more spreading over the earth, if she is to be the leader of the Anglo-Saxon race, she must endeavour above all to take care that no commonwealth springing from us shall attain more than ourselves that strength to which none other is comparable—the strength which arises from the nurture and development of the patriotism of her inhabitants through their possession of their rights, their feeling of their responsibilities, and their fulfilment of their duties as citizens.

MR. LIDDELL said, that this debate had presented some rather remarkable features, and one of the most remarkable was that lately presented by a Member of the Government, whose object in rising appeared to be to defend himself and his Colleagues against the attacks of his own party. Of that speech, however, the right hon. Gentleman's own supporters were better judges than himself. All that he could gather from the right hon. Gentleman was that he supported a £6 franchise Bill; but, although he supported the second reading, he said the Government did not go to the hustings pledged to a £6 franchise. It had been said that there was a civil war raging on the other side of the House. Now he did not consider it a civil war, but simply a struggle of prudence against imprudence—a stand honourably taken by sagacious and patriotic men against the laying of a stepping-stone which had been forcibly and expressively described as leading towards democracy. He wished to state the objections which he entertained to the measure. He had heard from the other side of the House truths propounded which he should like to see promulgated in letters of gold and nailed to every hustings, because they exposed the fallacy surrounding the question of lowering the franchise. He should support the objections which he entertained against this measure by quoting from the evidence of those who differed from him in their political views. His first objection was one which had not yet been taken—that to place the possession of the franchise upon value as ascertained for the purposes of local taxation was to place it upon an uncertain, ill-defined, and variable basis; because, in fact, there existed no uniform rule or fixed system for ascertaining the value of property for these purposes. Not only did the mode of assessment vary in different parts of the country, but even in parishes contiguous to each other continual discrepancies would be found to prevail. They had been told before the Committee of the House of Lords in 1860 by eminent authorities that the rate book was no criterion of value whatever; and when hon. Gentlemen had informed the House that their calculation of the number who would be admitted to the exercise of the franchise through the passing of this measure was founded upon the Government Returns, they entirely forgot that the fallacies and inaccuracies of those Returns had been exposed in the Committee to which he had alluded. Before the Committee Mr. David Chadwick, who had been the treasurer of the borough of Salford for sixteen years, and possessed twenty years' experience in the system of rating every description of property for parochial and corporation purposes, gave the following evidence:—

"To show the anomalies which exist in a few of the principal towns in the mode of rating—a house of 2*s.* a week in Liverpool would be considered of the gross estimated rental, or the annual value of £5, the landlord paying all rates and taxes and water rate. The very same house in Manchester, and subject to the same amount of taxes, or nearly so, would be considered of £4 gross estimated value; in Salford, £3 10*s.*; in Leeds, £4 5*s.*; in Bolton, £4 10*s.*; in Bradford, £3 12*s.*; in Halifax, £3 18*s.*; varying in seven different towns between 10 and 30 per cent. The same anomaly exists in regard to all the other

> weekly amounts, and it shows that there is nothing like uniformity and that nobody can understand it. We, the very officials who have to communicate with each other, are in a constant state of confusion."

Not only did this mode of assessing property for the purposes of local taxation vary in different parts of the country, but in different parishes of the same large town like discrepancies were visible. A case was within his knowledge where, in one particular parish, upon a £6 house, the scale being 1*s*. in the pound per quarter, a man would pay £1 4*s*. for his vote, in another parish he would pay 16*s*., and in a third 12*s*. Could that be called an equal measure of justice? They would find it very difficult to persuade the artisan or working man that he was fairly dealt with under a system which caused him to pay 100 per cent more for his vote in a poor parish than the resident in a contiguous and wealthy parish. Perhaps he might be told that this basis of local taxation, which he called unreal and ill-defined, was the same that was selected in 1832. He expected that answer. But the basis then adopted was a rough and ready mode of ascertaining the social status of the voter. But were there no differences in the circumstances of the times? In 1832 there were great and acknowledged grievances to remedy; rotten boroughs existed by the side of large unrepresented cities; and the lowest classes of society in some towns enjoyed political privileges which were denied to the middle class. All these grievances were remedied by the Reform Act; but there were other informalities and inconveniences that were not remedied by that Act, and any measure now introduced ought to be directed to supply the deficiencies then left; there were, for instance, the inequalities of the basis of the franchise—but this the present Bill did not attempt to remedy. This Bill, calling itself a Reform Bill, did not even pretend to deal with another great evil of the present system by defective registration. So far from it carrying down the franchise to a lower stratum of society and leaving the machinery the same, it must perpetuate and enormously aggravate the difficulties of registration; but no attempt was made in the Bill to meet so obvious an objection. Yet this was called a Reform Bill. The only thing the Bill did, under the specious name of Reform, was to admit to power an uncertain number of the working classes, of whom he would endeavour to show that a much larger proportion already possessed the franchise than persons generally were aware of. Of the working man individually he entertained no apprehension whatever; there were a considerable number of them whom he believed to be better qualified for the exercise of the franchise than many who now enjoyed it. What he objected to was the indiscriminate admission of the working classes contemplated by the Bill. Hon. Gentlemen when they talked of the fitness of the working man to share in controlling the destinies of the country ought to address themselves to a task more difficult than any they had yet attempted, that of showing the working man to be more fitted for this privilege than the present constituencies. ["No, no!"] He replied "yes," because the indiscriminate admission of the working classes would have the effect of superseding the existing classes altogether. The present was considered a small measure of Reform; it was spoken of, in fact, as an instalment; and on this subject he had often observed that the language used by advocates of Reform in and out of the House was widely different. In the course of the remarkable speech made during last autumn by the hon. Member for Birmingham (who would be admitted to hold a high place among "advanced Reformers") he asked this question—

> "Why are you afraid of the unenfranchised millions, who marry, keep house, rear children, and pay taxes? And why do you Tories, and those very wise gentlemen the Whigs, who think like Tories"—(the gentlemen, by the way, whom the hon. Member for Birmingham supports)—"vote for the exclusion of these millions?"

He did not know whether hon. Gentlemen had read the Report of the Employment of Children Commission, especially that part of it relating to Birmingham, where this speech was delivered, but it certainly was a document strictly in point, and it gave a striking and alarming picture of the condition of the very classes proposed to be enfranchised. To quote single cases was always an unpleasant, sometimes an insulting course, but he might state generally that there appeared to be 20,000 young persons between the ages of seven and twenty employed in the most noxious trades that were carried on in Birmingham. These 20,000 young persons—or rather, those who might survive the hard apprenticeship of their youth—the fathers and mothers of future generations of working men, were described as brought up in close, ill-ventilated, unwholesome rooms, where the common decencies of life were neglected, and as labouring at unhealthy trades sometimes fourteen hours a day. The manufacturers did what lay in their power to modify such disadvantages—he meant the master manufacturers who were generally careful of the health and welfare of those whom they employed; the chief evils occurred under the small employers, persons removed, as it were, from human ken—but the inevitable results of the system must be that these young people became physically debilitated and mentally degraded. It could not be otherwise, owing to the parents' anxiety to obtain remuneration for the services of their children at the earliest period. He did not grudge them the amount of wages thus obtained, but practically the children were precluded from obtaining that amount of education which would fit them for becoming valuable citizens hereafter. And it was this low stratum of society with which they were about suddenly to overlap the higher class of mechanics, for there were few of these people who did not live in houses of 2*s*. 6*d*. per week, or more than £6 per year. There were 30,000 houses in Birmingham of that annual value, and thus the Bill of the hon. Member for Leeds would treble the constituency of that great town, and that by persons whose condition entirely prevented them from obtaining that education which all sides admitted should accompany political power. What had the present constituency of Birmingham done that it should be so superseded? That was a reason why he was afraid of the unenfranchised classes, and in his opinion it furnished a just ground for alarm. He did not object to the admission of the working man to the franchise; but he did object to the masses being thus indiscriminately admitted. They had heard of a great deal of apathy existing in the House, and out of doors, on the question of Reform. It was, no doubt, great; but it was as nothing compared with the indifference of those who, having the qualification for the franchise did not take the trouble to avail themselves of it. And here, again, a lesson might be learned from Birmingham. The clerk to the Guardians, when examined before the Lords' Committees, stated the number of occupiers in the parish of Birmingham assessed at £10 and over in respect of property within the parish of Birmingham to be 18,574. All these persons were entitled to the franchise; but what was the actual number of voters on the register in that town? Why, short of 6,000! That was to say, not a third of the persons actually qualified to vote took measures to enable themselves to do so. Did not that show great indifference as to votes already? Here they were proposing to extend the circle by giving votes to working men, but those very men would not take the trouble to register themselves—they told them that the working classes were thundering at the doors of Parliament when many of those who were already entitled would not take the trouble to walk in. This was partly accounted for, no doubt, by many of these houses having their rates compounded for by the owners. But in 1851 an Act was passed to protect compounders. That was passed in 1851; but it was not until 1859 that any claims to the vote were made under that Act, when by the exertions of two individuals 1,365 compounders were put on the register. Here, then, was a constituency of 18,000, large enough to satisfy anybody, which would not take the truble to place themselves on the register by claiming to pay their rates directly. That was a proof of the apathy that existed upon this subject. There were also great objections to unnecessarily increasing large constituencies. The more diluted the power became the less anxiety there was to possess it. There was one point he was very anxious to impress upon the House—namely, that a much larger number of the working men were enfranchised than was generally supposed or believed. The authorities he should quote were worthy of indisputable credence. He found a proof in the evidence of Mr. Henry Ashworth, a gentleman who had done as much as any man to elevate the working man, and who told a Committee of the House of Lords—

> "Owing to the superior class of houses now built and building, and the desire of the working classes to occupy them, large numbers are annually growing into the franchise."

He was alluding to the building and freehold land societies by which the working men had been enabled greatly to elevate themselves. Mr. Danger, who came from Bristol, said—

> "A very large proportion of the working classes of St. Philip and Jacob Without and of Bedminster are upon the register. I take those as two large parishes in Bristol where the artisans preponderate. There is a very large number on

the register, upwards, I think, of 1,500 in St. Philip and Jacob alone, and about 1,200 for Bedminster."

That was a considerable proportion out of the electors of Bristol. Mr. Chadwick, from Salford, said that one-half of that constituency consisted of the superior classes of artisans. These men were the very *élite* of the working classes, who by their industry, economy, and perseverance had raised themselves to a better position, and were bringing up their children in comfort and intelligence. These men would do honour to any constituency, as they had, by the noblest of all processes—the process of self-elevation—secured the franchise for themselves. Why, then, disturb this, which was one of the most pleasing features of our constituencies? Why, by the indiscriminate admission of a lower grade, cast a stigma upon those who have thus raised themselves? Why destroy this self-acting principle on which, in fact, our Constitution itself is based? He had said this was not a Reform Bill, inasmuch as it did not address itself to any of the great defects which were admitted to exist in our present representative system. The law relating to registration was most uncertain, and the way in which it was administered was equally so. They had not yet even defined what was a tenant or what a lodger, and some absurd notion as to the possession of the key of the front door, or some trifling technicality of that kind, had disfranchised hundreds. These were defects which the Bill did not touch at all; and there were others which, instead of remedying, it only aggravated. To show what was required in a measure of Reform, he would quote an opinion which would be heard with respect by hon. Gentlemen opposite. Mr. John Stuart Mill said—

> "In a good half measure of Reform there are at least two essential requisites. 1. It should be aimed at the really worst features of the existing system, since it does not profess to do everything it should do what is most required, it should apply a corrective where one is most urgently required. 2. It should be conceived with an eye to the further changes which may be expected hereafter, whatever change it introduces should be a step in the direction in which a further advance is, or will hereafter be desirable."

One point which had been much argued was the existence of small nomination boroughs. He would express no opinion in respect of them, but the Chancellor of the Exchequer not long ago had expressed an opinion favourable to the retention of those boroughs, and as long as they returned such men as the right hon. Member for Calne, he thought much might be said in their favour. But the hon. Member for Birmingham had often told them that no measure of Reform would be complete without a redistribution of seats. But this Bill did not do that. It would remedy nothing, although it was styled a Reform Bill. It merely proposed to lower the franchise to people who were now acquiring it for themselves. It was based upon an unsound foundation, it only tended to aggravate and perpetuate existing evils, and, therefore, he hoped the House would agree with him that it ought to be rejected.

Sir FRANCIS GOLDSMID said, he had felt no desire to take part in the debate until he heard the speech of his right hon. Friend the Member for Calne (Mr. Lowe); but that ever since he had heard that speech he had much wished to say a few words, not because he had the vanity to suppose himself a fit antagonist of his right hon. Friend, but because he was convinced that, although his right hon. Friend's arguments derived an appearance of strength from the force of his expressions, and the fertility and ingenuity of his illustrations, yet their intrinsic hollowness would become evident if they were briefly examined even by a speaker of far inferior power. His right hon. Friend claimed to speak with peculiar authority on the ground of his extraordinary consistency. But however much he (Sir Francis Goldsmid) might be disposed to admit the great ability of the right hon. Gentleman, it could not be understood why he imagined himself to be consistent. Shortly after his right hon. Friend's speech, he was reminded by the hon. Member for Liskeard (Mr. Bernal Osborne) that he had supported in 1859 Lord John Russell's Resolution, which pointed directly to some such extension of the franchise as was proposed by this Bill. Again, was not his right hon. Friend a Member of the Administration which introduced the Reform Bill of 1860—a measure which, to adopt the phraseology of the right hon. Gentleman, must be called a "revolver," of which the present Bill was a "single barrel," but the contents of every barrel of which were, according to his present views, fraught with elements destructive of the best interests of humanity? He could understand how on minor matters his right hon. Friend was at liberty to sacrifice his own opinions to those of his party or of his Colleagues. But this was not a minor matter, and therefore he felt bound, by his regard for his right hon. Friend's honour, to believe that when he supported that measure he did not hold the views which he now entertained. It was clear, then, that if his right hon. Friend had reflected a little more on his past career, he would not have ventured to say that he never found occasion to depart from a conviction which he had once deliberately formed. But if we cannot bow to his authority, ought we to yield to his arguments? He (Sir Francis Goldsmid) maintained that we ought not. His right hon. Friend correctly quoted the Chancellor of the Exchequer as having last year said, that every man who was not presumably incapacitated by some consideration of personal unfitness, or political danger, was morally entitled to come within the pale of the Constitution. But, although quoting the Chancellor of the Exchequer with perfect fairness, the right hon. Member for Calne exhibited, in attempting to disprove his position, an unfairness which could not be surpassed. After disputing the existence of *à priori* rights, he proceeded to remark that if such rights do in reality exist, they are as much the property of the Australian savage and the Hottentot of the Cape, as of the educated and refined Englishman. But these remarks had no real application to anything propounded by the Chancellor of the Exchequer, because the Hottentot or Australian savage is presumably incapacitated by personal unfitness, and for every man so incapacitated the Chancellor of the Exchequer had carefully guarded himself against being supposed to claim the franchise. Thus, then, the argument of the right hon. Member for Calne, though it was a triumphant refutation, was a refutation of something that was never intended to be upheld by the reasoner whom he was attempting to refute. His right hon. Friend next put forward a most extraordinary proposition, for he went on to say that the theory which armed the hand of the assassin was the same as that upon which this doctrine of *à priori* right was founded. Now he (Sir Francis Goldsmid) thought this was a most unworthy attempt to cast odium upon principles which the right hon. Gentleman disliked. It was true that assassination had sometimes, though fortunately but seldom, been the result of extreme political opinions working on an ill-governed mind; but there was no pretence for coupling that crime with one class of extreme opinions more than with another, for imputing it to those who raved about the *à priori* right of every man to the franchise, rather than to those who raved about the Divine rights of kings, or about the just and natural claim of the white man to control the thews and sinews of the black. He (Sir Francis Goldsmid) ventured to remind the House that there was not the slightest reason for supposing that the assassin of William the Silent in the 16th century, or the assassin of Abraham Lincoln in the 19th, was a fanatical believer in the abstract right of all men to political equality. Then his right hon. Friend disputed the propriety of lowering the franchise, because he said that all men who wished to exercise the franchise could get it under the present law. He assumed that those who did not obtain it did not deserve it; and he added that the question was whether the House should drag down the franchise to the level of those who had no sense of decency and morality? When he (Sir Francis Goldsmid) heard this, he almost thought his right hon. Friend had rather perpetrated a bitter joke than made a serious declaration. It reminded him of an anecdote which had been told of a man of exalted rank and great wealth, who, whenever he heard that any of his friends wanted money, exclaimed, "Want money! Why does anybody ever want money? Why do they not sell out of the Three per Cents? I sell out of the Three per Cents whenever I want money." His right hon. Friend in a similar spirit might say, "Want the franchise! Why does not a man take a £10 house if he wants the franchise?" In one respect the person of rank to whom he had referred had the advantage of his right hon. Friend, for he (Sir Francis Goldsmid) had never heard that that personage, when his friends told him they could not sell out their Consols because they had none, turned round and charged them with being devoid of all sense of decency and morality. But was this reply, which it must be admitted was not very conciliatory, founded on truth? He contended that it was not. The right hon. Gentleman was under a misapprehension as to the class of tenements which were wanting in the accommodation requisite for the observance of decency and morality. He (Sir Francis Goldsmid) knew something of the value of cottages, and he believed that the result of further inquiry would show that the houses which did not afford decent sleeping accommodation were not £8 houses, on which the tenants paid the rates, but those tenements for which the poor paid at the rate of 1*s*. 6*d*. or 2*s*. a week, or about £5 a year, and the rates upon which were paid by the landlord. He therefore thought the taunt of his right hon. Friend was as little founded in truth as it was otherwise injurious. He would next pass to the argument of his right hon. Friend and others about swamping the constituencies. On this point his right hon. Friend had not only not proved, he had even disproved his own case. He said that in five towns the constituency would be nearly trebled, and that in twenty-eight it would be more than doubled; that made only thirty-three towns or, allowing two Members for each town, sixty-six Members, making about one-fifth of all the borough Members for England and Wales. The House was therefore driven to conclude that in the remaining four-fifths of the boroughs the constituency would not be doubled, and in many of them they knew it would not be nearly doubled. Then it was suggested that the question was not merely one of numbers; that the class indicated by the rents of from £8 to £10 would attract to them those immediately above them, and the two combined would become masters of the situation, and thus the influence of property and intelligence would be destroyed. Now, that argument was opposed to all experience. Was it meant to be said that at present the result of elections in this country depended simply and exclusively upon the class who had the majority of votes? The very contrary was the fact. There was hardly an heir to a peerage, being a man of energy and talent, who sought a seat in that House without being able to obtain it; and the landowners and large manufacturers had great influence over the elections. If they had such an influence now, although a minority, why should they not have that influence under the proposed state of the law? Of late years especially, our upper classes had exerted themselves successfully to improve the condition of their humbler fellow-subjects and gain their confidence; and he believed they would still continue to do so, with the like happy results, if the franchise were lowered. The right hon. Gentleman had also referred to an argument used by the hon. Member for Huddersfield as being *ignava ratio*—a cowardly reason. He (Sir Francis Goldsmid) did not know that the House would be much assisted in arriving at a sound conclusion by bandying accusations of political cowardice; but if such accusations could be fitly made, it would rather be against those who desired to intrench themselves behind existing regulations and feared to commit themselves to the good sense of the constituencies when enlarged by the comparatively moderate addition which would be made by that Bill. For himself, he did not share the fears that property and rank were in danger. He believed in the improvement of the people, and he would point to the contrast between their conduct half a century ago in breaking machinery and burning stacks, during periods of distress, and their endurance during the late failure of the supply of cotton. He believed that the proposed change could not be long delayed, and he viewed that change without apprehension founded, as he was convinced it would be, upon the improved regard of our countrymen for authority well exercised and property well used, founded as it would be upon the increased education and intelligence of the working classes, and upon that which was the inevitable result of increased education and intelligence, enlarged respect for the rights of others as well as for their own. He should therefore cordially support the measure.

Mr. BUXTON said, it was not his business to defend the Government from the attacks that had been made upon it; but he did not think that any man of plain common sense would have taken the course which the Government had pursued on this subject. They had fulfilled their pledge by bringing in a Reform Bill; but, through the conduct of Gentlemen on both sides, they found it impossible to carry it, and they were ultimately obliged to withdraw it. Although they had not deemed it advisable to bring forward their own measure again, they had voted for similar measures when proposed by others. His hon. Friend the Member for Huddersfield (Mr. Leatham) qualified his speech in various ways, but the right hon. Gentleman the Member for Calne gave them a very distinct answer to the question by saying, "Do nothing, but stay where you are." Now, that answer had the merit of being simple and straightforward, but it had the demerit of being entirely impracticable. He (Mr. Buxton) wished to deal with the practical question, what course those ought to take who on the one hand were heartily on the side of progress and reform, who looked with utter aversion on the obstructive policy of hon. Gentlemen opposite, who put a sincere trust in the common sense and patriotism of the working classes, and heartily desired to see them endowed with a fair share of political power; but who, on the other hand, were resolved not to allow the present electoral body to be swamped in a flood of new voters, and who were also resolved not to be made the tools of that democratic party represented by the hon. Member for Birmingham, who wanted, by fair means or foul, to convert the time-honoured institutions of this country into a Republic. Why, the Liberal party would be committing high treason to the principles it had invariably laid down and the professions it had invariably made if now suddenly, at the instigation of his right hon. Friend, it leaped to the conclusion not to admit any part of the working class to the franchise. They had invariably asserted the truth that the most perfect form of government was that in which, not, indeed, every individual, but every class in the commonwealth, should have its spokesman in the Great Council of the nation; in which those who had to obey the laws shared in making them; in which those who paid taxes had some voice in imposing them—in which those who must partake in the glory or dishonour of their country could speak through their representatives on matters bearing on the defence of the country and on questions of war and peace. The Liberal party had always held that the direct exclusion of one class, and that the largest, from the pale of citizenship was an insult to its members, and weakened the nation by dividing it; and that a people could only rise to the greatest height of unity, concord, and power when every class could feel that it shared in determining the policy of the realm. Further, that it was essential to the moral and intellectual elevation of the working class that it should bear upon its shoulders the responsibility of political duties. But, even if they could suffer these first principles of Liberalism to fade from their minds, surely any reasonable man must feel that it would be utterly in vain to resist the demand made by some millions of Englishmen to be no longer stamped as pariahs, unworthy of citizenship, unworthy to take any part whatever in guiding the destiny of their country? He was astonished that any one who came at all into contact with the mass of the people should doubt their resolute purpose to raise themselves out of this degrading position. He was astonished that any one should doubt that it was a mere question of time. Besides all that, surely no man who sat on that side of the House, and earnestly desired to see the triumph of those measures that would still further promote the well-being and unity of the people, could wish the Liberal party voluntarily to commit suicide, as it unquestionably would, were it now to convert its creed on this point into a kind of *quasi*-Toryism? Nor was it worth while in a practical Assembly like that to call upon hon. Members to break with their political friends, ruin their political prospects, and fly in the face of their principles in order to refuse to the working class that fair proportion of political power to which they had always maintained them to be entitled. Much, therefore, as he had admired the powerful eloquence of the right hon. Gentleman's (Mr. Lowe's) speech, he regretted that it had dealt, perhaps, too much with abstract reasoning, instead of grappling with the practical conditions of the case. There was another side of the question to which they could not shut their eyes. He admitted that it would be a dangerous—a disastrous—thing to transfer the franchise from those who at present possessed it to a vast untried multitude, especially since there was no ground of necessity for doing so. Well, but then, if all this were so, why should they shrink at all from supporting the Bill before them? He, for one, should give the Bill a cordial welcome, and he believed that almost every Liberal would do so, were there any solid ground for hoping that it would satiate the demand for Reform. But in that consideration lay the fatal difficulty. In it was to be found the reason why all reasonable Liberals, including the Government, had become somewhat chilled in their affection for this measure. During the last two or three years the hon. Member for Birmingham and his small but determined band of supporters, while professing to be the champions of this Bill, had not been able to refrain from displaying the hearty contempt in which they held it. They had shown more and more that they looked upon it as a mere paltry instalment, or rather, he should say, as an instrument for obtaining that manhood suffrage on which they were bent. It was plain that they did not care for the Bill, but only for the Bills it might produce. Some philosopher or other had said that the reason why men pay respect to women was not because any particular woman was of any particular consequence, but they revered her as the possible mother of heroes. That seemed to be the democratic feeling with regard to this proposal. What he feared was a geometrical progression in measures of that kind, and it was but too plain to anybody who would not shut his eyes to it, that the more you lowered the franchise, the more inevitable was a wider and still wider extension. Moreover, there was something degrading, something almost revolting, in the feelings that a small body of men, whose principles they hated—men, who like the hon. Member for Birmingham, had no love for their institutions, and who seemed rather to feel shame than glory in the name of Englishmen, should skilfully play them with this measure, in itself so reasonable, with the full intention of landing them in due time far lower down the stream. Now, he cordially agreed with the noble Lord (Lord Elcho) and with the right hon. Gentleman—nay, he might say, with four-fifths of the Liberal party—that it would, indeed, be dangerous and disastrous virtually to annihilate the political sway of the existing electors. Those who now possessed the suffrage had so used it as to have done honour to themselves, and to have raised this country to a pitch of well-being unparalleled elsewhere. No plea whatever for taking their power from them and giving it to an untried class could be found in the allegation that they had misused the trust which during the last thirty years had been committed to them. The actual result of their political sway had been to give this country the wisest and most wholesome legislation, and, upon the whole, the most efficient administration of public affairs of which history presented an example. Those who looked with satisfaction and pride on the legislation of the last thirty years, and who loved the institutions of this country, must surely feel that it would be madness itself to rob this class, in whom the choice of our rulers had been vested, of that high function, and make it over to some millions of new men, who might, no doubt, be equally patriotic and equally prudent, but who had not been trained by any experience to a knowledge of public affairs, who all belonged to nearly the same level, and whose education perforce was of a lower kind than that received by those who enjoyed more leisure and more ample means. Could it be denied that there was grave weight in this argument? How had the hon. Member for Huddersfield (Mr. Leatham) met it in his able and amusing speech? He had only met it by a second-hand joke from Sidney Smith. But in spite of all jokes, fresh or stale, would it be plain sense—would it comport with that sound judgment which happily was the main trait of the English character, that when a governmental machine had worked admirably well, and had produced in unparalleled quantities the greatest happiness of the greatest number, they should radically change its character upon some vague theory about the rights of man? That theory had been tried seventy years ago, and had turned the fairest realm of Christendom into a hell. It had been tried in the United States, and, to say the least, it had disappointed those who held it. It had been tried in our colonies, and every one who returned from them gave the same account of it as one which he had received only a few hours ago from an Australian gentleman, whose words were:—"The working of universal suffrage is as bad as bad can be; no decent man will have anything to do with politics; the corruption is awful." Upon the whole, then, there undoubtedly were two sides to this question, to neither of which was it possible to shut their eyes. Then, the question was, what ought they to do? He had no claim, and he certainly had no wish to obtrude advice upon others; but those who felt the force of these conflicting necessities would, perhaps, come to the same conclusion as himself—namely, that on the one hand, both for the sake of keeping faith towards those who had elected them, and because no other opportunity was afforded them of affirming the principle they sincerely held, that the working class must be raised to a fair share of power, they should support the second reading of this Bill, but that in doing so they should call upon the Government no longer to leave this great question to be dealt with by private hands. They should call on the Government to take it into their own, and bring forward a well-weighed, well-adjusted, and comprehensive scheme, by which that principle should *bonâ fide* be carried out, but in such a way and under such conditions as should effectually secure the upper and middle classes from being deposed from their rightful political position by those below them. But, then, could that be done? How could the best part of the working class be thus introduced to power without overwhelming the rest by their mere mass? He should reply, assuredly this could be done. That would not be the place or time to do more than throw out one or two bare suggestions; but undoubtedly that object would be effected if, in the first place, those restrictions were abolished which deprived so many artisans and others paying £10 a year rental from enjoying the franchise, whether because they were merely lodgers, or did not pay their own rates, or in various other ways. By the abolition of those restrictions the highest portion of the working class would be at once admitted. Beyond that he could not discover the practical objection to giving the franchise to those workmen who, by the acquisition of property in the savings' banks or elsewhere, had shown frugality and forethought. His belief was that by such means an excellent and ample portion of the working class could be admitted with perfect safety. But if this were not thought to be enough—if it were thought essential to reduce the qualification from £10 to £6, still the dangers of that course might be vastly diminished if, instead of standing alone, as in the Bill before the House, that measure were accompanied by others tending to preserve a due balance of power between property and numbers. He was not now talking of visionary plans, such as that of Mr. Hare, nor was he even advocating that which at the same time had every merit of justice, simplicity, and reason, but which had the fatal demerit of looking, though it would not really be, invidious—namely, the plan of a plurality of votes—but he referred to other arrangements, such as that of combining all the country towns with the boroughs, so that the constituencies should not consist too much of one class, living all together under the same influences; and, again, to such an arrangement as that boroughs should be divided so that each division should have its one Member, instead of the election of both or all the Members being in the hands of the very same persons. That would not be the place or time to enter upon any discussion of these or of several other precautions that might at the same time be perfectly well taken. One objection, however, had been made to every scheme of this kind, and had been renewed in the course of this debate—the objection that if they adopted this course it would be to give the suffrage to the working classes with one hand, and to take it away again with the other. He emphatically denied that this would be so. Those who took the same view that he did expressly desired to give the working classes political power; they had no wish whatever to make a pretence of giving it to them while really snatching its substance away by a dexterous machinery. The precautions that they wished to take simply tended to prevent that share from becoming an extravagant and excessive one, and to prevent this one class from swamping the others by its mere mass. It appeared to him that it was to the providing of such safeguards that the moderate Liberals ought to devote their energies. It would be neither right nor practicable for them to reject the demand of the working class for citizenship; but it would be, not folly, but criminal lunacy, if they paved the way to republicanizing our institutions and overwhelming the just influence of property by sheer numbers. There was, then, no alternative whatever, except to face the difficulties that lay in the way, and accompany that gift by such arrangements as would secure to the existing electors, representing the invested property of the country, that ample share of political authority to which no man could deny their claim.

MR. STANSFELD: Sir, I am not desirous to enter into party or personal questions raised on former occasions; I have no letters from America or from the colonies with which to amuse the House; I have no conversations in the lobby to report. I rise for the simple, and I hope legitimate if not very interesting, purpose of supporting the second reading of this Bill. We have heard from many Members who have spoken in this debate exhortations to speak as candidly as we are supposed to do behind the Chair or in the lobby, without having the fear of the noble Lord the Member for Haddingtonshire before our eyes. I entirely give my assent to this exhortation, and I think the speech of the noble Lord and those who followed him on the same side, are entitled to the merit of frankness. But it is a totally different question whether their speeches represent the fair and average opinion of the majority of this House—and that is a matter upon which I would beg leave to take issue with them. We have had Reform before this House and the country some thirteen or fourteen years. It has been the subject of several speeches from the Throne, it has been the subject of four Ministerial proposals; and when the Government of the right hon. Member for Buckinghamshire fell, it was not because he and his party opposed themselves to Reform, but because the measure they proposed was felt to be not sufficiently liberal; above everything, with reference to the borough franchise, to meet the views of the majority of this House. ["No, no!"] I am speaking of facts. The theory of some hon. Members on this point is very simple, it is this, that during all this period we have been in an atmosphere of illusions, of hypocrisies, and of shams. The right hon. Member for Calne (Mr. Lowe) put it in the most distinct way when he said that Reform had been the mere plaything and shuttlecock of parties. That assertion of the right hon. Gentleman was more cheered than any other by Gentlemen at the other side of the House; and yet they, too, had their Reform Bill. I am not capable of supposing that their pleasurable excitement at the statement was caused by the contemplation of their own unworthiness; and I think that what they found agreeable on that occasion was the spectacle, by no means without a precedent in this Parliament, and not without its natural attraction for some persons, of Members rising at this side of the House and recanting one by one every tenet that should go to form the faith and justify the title of a Liberal party. Some people are said to be worse than they appear; but I must say that if the House of Commons appears to the right hon. Member for Calne in that light, I do not think it so bad as it seemed in the right hon. Gentleman's eyes. I join issue with the right hon. Gentleman upon his statement in reference to that part of the question, and believe it possible throughout all the period referred to, to trace a common ground of general opinion and current of thought, on which, though party may from time to time have driven some of them on the path of Reform further than their own volition would have led, it ought now to be possible to legislate with respect to the question of Reform. I will endeavour to define what I believe to be that kind of average opinion. But before I do so I wish to say a word in passing on another kind of opinion. Two classes of opinion are to be dealt with, which I may call the inside class and outside class. I must refer to the view which the noble Lord who moved the Amendment took of what he called the apathy out of doors. It is perfectly true that there is no enthusiasm out of doors on this question. There never was enthusiasm on the subject of any of the Reform measures brought before the House since 1852. It was not in their nature to create popular enthusiasm, but that is no objection if they could be shown to be safe measures. If the advocates of Reform were fanatics on this question, there is nothing they would hail more gladly than the contemptuous rejection of proposals like that of my hon. Friend the Member for Leeds; and nothing would delight them so much as speeches like that of the right hon. Member for Calne, because such acts and such indications of policy and feeling are just the elements which go to form broad and bold lines of demarcation between classes of opinion in the country, and tend to a condition of mind favourable for great and revolutionary changes. I distinctly say that to such a policy, which belongs to the past, and which, I trust, none will do anything to revive, I prefer a moderate measure willingly conceded, and therefore I support the present Bill. Now let me refer to the inside opinion—the opinion of this House, and, in fact, of the ruling classes of the country. The general opinion is to the effect that it is advisable that there should be some extension of the franchise. I will go further, and say that the object of that extension is generally agreed upon. It is the admission under conditions of a class that has been hitherto almost entirely excluded—the working class. ["No, no!"] There may be many Members who do not accord with that opinion, but the very great majority— ["No, no!"] Many Members even on the other side of the House voted for a measure that professed to have that object. There is an agreement in general terms upon the question as to the extent, but as to the mode and means of admitting the working class there are different opinions, and the matter would, no doubt, be discussed with reference to the fears that the existing constituencies might be swamped by mere numbers, and that the first step would be only one in a *facilis descensus averni*, leading down to pure democracy and the domination of mere numbers. If that be anything like a fair description of the inside opinion, I ask the House to test by it the Bill which my hon. Friend has introduced? What is the principle of that Bill? The principle of the Bill of my hon. Friend is neither more nor less than this—that you should by lowering the rental qualification in boroughs admit into your ordinary constituencies some portion of the working class of this country. I know that the noble Lord who moved the Previous Question will not object to that definition. That being the principle of the Bill, to what extent would that principle be carried? There is no question about what the figures would be under the Bill of my hon. Friend. I have gone through them, and I think the House will give me credit for some accuracy when I say that the result of those figures is that the whole of the borough constituencies, excluding the metropolitan constituencies, would constitute a new electoral body of which not more than one-third would belong to the working classes. That is the principle and that is the extent to which this Bill would carry it. And here arises the dilemma of which we have heard so much, and it is this — It is said by this uniform lowering of the franchise that you grant too little or too much. I will deal with that difficulty and dilemma. At present you have an obnoxiously uniform franchise—a franchise carried down to the bottom of the middle class stratum in the country; as if on purpose, you have stopped at a point which, with few exceptions, excludes the whole of the working classes. We have heard of a few exceptional cases —there were exceptional cases brought before the Committee of the House of Lords in 1860. Perhaps only in a dozen constituencies are Members returned principally by the votes of the working classes; and is anyone, on looking to these, prepared to say that the Members they return are not fit to take their places in this House? Two amongst those constituencies return Cabinet Ministers. That may certainly be an objection to some persons. I, for one, should not object to them on that account. So much for the uniform lowering of the franchise. Now for the question as to the too little or too much of the franchise. In a limited number of large boroughs the right hon. Gentleman the Member for Calne told us what the effect would be. I say that would be a good effect. What everybody who desires any extension of the franchise wishes is that there should be some working class representation in this country. It is said that in some of those large boroughs we should have a large influx of working-class voters, who would swamp the present constituencies. Now, I admit that that would be a fair objection, whether in a number of boroughs or in a single borough. To meet this objection, the notion of the representation of minorities has been introduced. I cannot say I like that notion, either as a philosophy or as a system; but I think there may be circumstances and purposes under which the acceptance of that principle as embodied in the Bill of 1854 may be admissible. It is undoubtedly a growing and evil tendency in constituencies which are simply numerous and bulky, that those who are wealthy, educated, and refined should withdraw themselves into a kind of Faubourg St. Germain and not take any part in the elections. That is one great complaint against the metropolitan constituencies. I say that it is an evil, and I would remedy and prevent that evil if I could; and therefore I say that if in the larger towns you find there is a danger of swamping that class, and of keeping them out of their due part of political life, I would accept in those cases the principle and the notion of a representation of a minority. But in the bulk of our towns that is not the condition of things. In the bulk of our towns you would evidently have a subordinate fraction of the constituency capable of being worked up into the ordinary material of your electoral bodies in the country. And I put this question to the House—Is it, or is it not an advantage? because that is the crucial test of the Bill of my hon. Friend. Not only from a Liberal but from a Conservative point of view is it or is it not an advantage that you should admit and work up into the ordinary material of your constituencies some portion of a class which no one desires to see supreme, but which by its moral, social, and educational progress is entitled to its share in the representation. The objections raised to the Bill of my hon. Friend have been, not to the measure itself, but mainly to the self-created fear of an advance towards a pure democracy. We have had one very specific argument against the reduction of the borough franchise from £10 to £6, and that was contained in the speech of the right hon. Gentleman the Member for Calne. In that speech he quoted some statements of Mr. Barker, one of the Factory Commissioners, who, speaking of the Freehold Land Societies, said—

> "The simple fact of these savings being effected, and of these houses being erected, by the

will of working men is an immensely significant one. All these owners of houses are freeholders, and every man has earned his own freehold from a desire to possess it. While in the same locality, employed at the same work and the same wages, and without any extraordinary drawback, a vast number of those who possess no such properties live on from day to day, regardless of every enjoyment which is not sensual, exhibiting no desire for an elevation of character among their fellowmen, wasting their money in profitless pursuits, or in degrading pastimes, and being for ever unprepared for the commonest vicissitudes which bring such misery in their train."

The right hon. Gentleman continued—

> "I ask the House upon which of the classes here described will the Bill of the hon. Member for Leeds operate? Not upon the provident, but mainly upon the improvident class. For the provident are not only in possession of the franchise —they have soared far above it, and have got into the region of freeholders. It will, therefore, apply to the men who waste their time in these profitless and degrading pursuits, in order, I suppose, that they may be elevated and fished out of the mire in which they delight to grovel, introduced to power, and intrusted with control over the Constitution of the country. . . . The question for you now to determine is whether you ought to bring down the franchise to the level of those persons who have no such sense of decency or morality, and of what is due to themselves and their children — whether you will, so to speak, degrade the franchise into the dirt, imperil your institutions, and put yourselves in danger of their overthrow, or whether you will make this franchise a vast instrument of good, a lever by which you may hope to elevate the working classes— not in the manner in which a mawkish sentimentality contemplates, but really to raise the working classes in the social scale by fixing the franchise at a reasonable level, requiring a little, and only a little, effort on their part to attain."

I ask the House is it true, or is it not true, that to the bulk of the working classes these remarks are fairly applied? Is it true that their lives are spent in drunkenness and in sensual enjoyments, and that decency does not reign in their homes? I quote this statement of the right hon. Gentleman's mainly for the purpose of asking the House to agree in this view— that it is not a sound notion to say you have a right to expect people to shape their expenditure, and to give to this and take from that, and to live in houses more highly rented than those which suffice for their wants, for the sake of obtaining admission to the franchise? I shall pass over the philosophical commonplaces which we have heard against doctrines of the rights of man, and I shall pass over also the objections to what are called the sentimental grievances of exclusion from the franchise, with this simple remark that the greatest questions are not only practical but also sentimental, and that the same objection might be brought to bear against those who defend representative Government against despotic government, against those who claim religious freedom or even national existence. But at last we come to a positive theory of philosophy of his own, as the right hon. Gentleman told us, and that was that what he called good government was the sole test and the sole object of any constitutional arrangement. Now, that is a very distinct proposition, but it is as unsound—because it is as incomplete—as it appears to be distinct and definite. It is not good government only, but it is security for good and stable government, which is the object of constitutional arrangements. In this country we have always been accustomed to believe that that could only be found in free representative institutions, in which all classes should have their fair share. There is another object of constitutional government which I will mention, though it may expose me to the charge of sentimentalism, and it is this—it is to train up and elevate the population of your country to self-governing powers and habits, to a sense of dignity and self-dependence. That I believe can be best secured by an extension to them— moderately and safely—of political rights. What is it that those who oppose Reform fear in a moderate measure like this? Why should you persist in treating the working classes entirely as a class apart? We know that neither in those boroughs in which they happen to be a considerable proportion, nor in those in which they had even a greater share of influence before the Reform Act of 1832, do they act as a class entirely apart. Why should you doubt the influence which wealth and education and leisure must exercise over the masses of the political community? This is not a Bill calculated to effect any transfer of power from one class to another. There is no intention or notion of transfer of power. ["Oh!"] That was the effect of the Act of 1832; but that Act has done its work. Immense has been the progress of the country since then; and it is because of that progress that my hon. Friend asks you to have faith in your own work and to have some confidence in yourselves and to extend the franchise to those whom it ought to have been the object of all your reforms to fit for its exercise. We have been warned to beware of the bad political economy of the working classes. Bad political economy has been driven out of the country since the Conservative party and the landowners of England were converted to the doctrines of free trade. You have been told to fear the trades unions. Well, if you desire to render them less absolute in their authority give them the suffrage, and you will help to drive out that sectarianism which characterizes the working as it does other classes—you will do something to render less distinct if not to obliterate the broad and offensive line which now separates them from the rest of the political community. I have but a few more words to say and they will be in protest against two theories which have been propounded with the applause of the House. The first is the down-hill theory of the right hon. Gentleman the Member for Calne—the notion that if you take any step it must inevitably lead you down to the evils of the supremacy of mere numbers. Well, I retort his *ignava ratio*, and say that the argument is a cowardly argument. You ought to have more confidence in yourselves and your country than to accept such a view as that. If you could accept it it would be the doom and the admission of the incompetence of the ruling classes of this country. It would be your doom because you have said that the first step would be fatal; it would be the confession of your incompetence, because you have said that after that first step you were incapable of controlling the destinies or guiding the policy of their country. But if you were to adopt that proposition you would be doing gross injustice not only to the working classes, but to yourselves; because you must recollect that politics are, after all, only part of the life of a nation, that social conditions govern their possibilities, and you know that in this country you could not, if you would, Americanise or colonialise our institutions. The other theory to which I object is the "perfect machine" theory. That is an equally *doctrinaire* and superficial theory. I should object to it if it came from men who were asking the House to divide out the country by rule and measure into equal electoral districts; I should object to it if it came from those who would construct a system of representing every minority, every opinion, and every crotchet which could find supporters enough to entitle it to one Member in that House; I object to it if it comes from a man who, like Lord Grey, proposes fantastic schemes to make the Constitution work; but, above all, I object to it if it comes from the mouth of those who put it forward as a *non possumus* against any possible extension of the suffrage. There is, fortunately, in this country something upon which we can depend which is higher and safer than any mere Constitutional machinery. It is public opinion—enlightened and progressive public opinion—which guides and controls that machinery, and which is capable of amending it without danger to the State; a public opinion upon which all of us ought to rely, because it has led us upon paths upon which we have never desired to return, and it has made converts one by one of almost all those who had opposed themselves to the improvements which by its influence have been brought about. Relying upon that public opinion, I believe, despite all these hopeless political speculations, that the time is not far distant when this House will pass a measure of Reform with the simple fearless object of admitting within the pale of the franchise, and to some share of public right and the exercise of public duty, the class which no one asks you ever to allow to be supreme, but which by its progress is entitled to some share of political power and to some consideration at the hands of that House.

MR. HORSMAN: I assure the right hon. Gentleman (Mr. Disraeli, who had risen at the same time) that I make him every apology for interposing between him and the House; but he can command its attention at an hour when Members less eminent cannot hope to do so; and therefore I hope that he will forgive me if, for a few moments, I venture to trespass upon your patience. Sir, those who have listened to the very able, argumentative, and ingenious speech of my hon. Friend the Member for Halifax, who has just sat down, cannot fail to have been struck by the very marked distinction which is discernible between the small and insignificant and harmless character of this Bill, as described in his speech, and its larger character, and more important and inevitable tendencies as illustrated by his arguments. Ostensibly, it is a Bill to introduce a £6 franchise in boroughs; but, logically and practically, it is a Bill to abolish the £10 franchise established by the Reform Act, and to substitute a new franchise under which the great bulk of the operative population shall be admitted to vote. I am sure that my hon. Friend who introduced the Bill will not object to that construction of it. [Mr. BAINES: I do!] If my hon. Friend repudiates that construction of his Bill he must repudiate the speeches he has himself made in its support.

MR. BAINES, amid cries of "Order, order!" was understood to say, that he had said that only a portion of the operative classes would, under this Bill, be admitted to the franchise.

MR. HORSMAN: The explanation of my hon. Friend drives me for a moment to an entirely new line of argument. I should be extremely sorry to misrepresent him, but I think that by reminding him of his own arguments I need not despair of making him a convert to my construction of them. What has been the burden of his speeches? They have gone to prove that the operative class are, as a class, so virtuous and intelligent that they ought to be admitted to the franchise. [Mr. BAINES: Not universally.] [Order!] If my hon. Friend will be patient, I will remind him of his argument step by step. He gave us, as I am sure he will remember, a great quantity of industrial statistics to prove the fitness of that class; he told us of their material and mental and moral elevation, and enlarged upon the thousands of newspapers they read and the millions of letters they write. He dwelt upon their co-operative societies, their savings' bank deposits, their schools, and institutes; and, on one occasion, he told us that there were no fewer than 3,000,000 teetotallers, principally of the operative class. Now I want to know what could be the meaning of this vast amount of statistical information all about the operative class, and introduced into a speech on the lowering of the borough franchise, except to show that as a class they were fit for the franchise?

And having established that fitness, my hon. Friend then proceeded to develope his great fact, his gigantic grievance, which he brings in this Bill to remedy. "Of all this vast, virtuous, and intelligent class," said my hon. Friend, "so small, so infinitesimal a proportion possesses the franchise, that practically the whole class may be said to be excluded. That exclusion is unjust, it is unwise, nay," he said, in grave and solemn tones, "it is very dangerous; because, although at this moment the excluded masses are peaceable and loyal, they may not always remain so; for sooner or later the blood of Englishmen boils under injustice, and, therefore, as a measure of justice, of policy, and even of safety, I offer you my Bill, and entreat you to accept it as a means of removing discontent and insuring peace." ["No!"] I am sure my hon. Friend will admit that I am not misrepresenting or in any way exaggerating his statements. [Mr. BAINES intimated assent.] I am very happy, that so far, my hon. Friend accepts my description of his language and his arguments. Well, Sir, but when we come to examine the Bill, the mighty instrument by which all these blessed results are to be brought about, what do we find? Is it calculated to effect its purpose? Is the Bill in harmony with the speeches made in its support? Does it materially diminish the injustice complained of, or remove the causes of agitation and disturbance? Nothing of the kind. The great bulk of the operative class are entirely unaffected by this Bill. My hon. Friend has just told me that he only wishes to enfranchise a small and select few. But they are so few and so select that, after the Bill has passed, no less than 95 per cent of this virtuous and intelligent class—we have the fact on the authority of the most reliable Returns—will still be excluded from the franchise. But how do you reconcile that exclusion with your own speeches? Is it right that 95 per cent of the operative class should remain excluded? Can you justify that exclusion? Do you intend to repudiate it? I challenge you to say, in the face of this House and of the public, whether the injustice you have denounced, and the dangers you have foreshadowed, can be materially diminished by this Bill? Well, then, what do you intend to do? Do you intend this Bill to be final? Dare you proclaim its finality on the hustings at Leeds? And, mind you, by finality I do not point to a vague and uncertain future, but I speak of current events, and of the circumstances and changes of the present year. And I ask you this question—"Suppose we pass this Bill in the course of the present Session, how long do you intend it to last?" Remember, you have warned the House that it must satisfy the demands of the non-electors. What are those demands? How far do they go? If they exist at all—and of their existence you have not given us a shadow of proof, nor has a shadow of proof been supplied to you, for when we entered on the discussion last week the most advanced Reformers could not muster a petition a-piece in favour of the Bill—I say, if these demands exist at all, they go a great deal further than this Bill. You tell us you are the mouthpiece of the non-electors; but where did you get your commission? The non-electors do not ask for this Bill. They will not accept it at your hands; confessedly, it is only offered as an instalment; and I must remind my right hon. Friend the Home Secretary of that fact. When my noble Friend (Lord Elcho) mentioned the word "instalment," he was responded to with loud cheers from this part of the House. Well, then, this Bill is admitted to be only an instalment. That is a great admission. Suppose that we now pass it, can you doubt—do you not know—that another Bill, with a further instalment, will be introduced next year? And when you are asked on the hustings to support it, what will be your answer? Can you refuse? If you do, will not your own speeches be cast in your teeth? Will not you be pelted with your own statistics? Will not you be asked whether all the virtues you have ascribed to the operative class are confined to £6 tenements? My hon. Friend says he only wishes to admit a select few; and the hon. Member for Bradford (Mr. Forster) improved on this by saying, "We only wish to introduce the *élite* of the working class." But will not you be asked what business you have to make any selection at all, and especially a selection that leaves 95 per cent excluded? I must confess that on this point I have been a good deal disappointed by the speeches of the supporters of the Bill. If there is one virtue more than another which we ascribe to advanced Reformers, and upon which they pride themselves, it is their courage and their candour. My hon. Friend (Mr. Baines) said that one great advantage of the Motion and Amendment was that they divested the question of all ambiguity; and my hon. Friend (Mr. Leatham) in a speech of singular ability, told us that the question was now arrived at a point when candour was of more value than statistics. The hon. Gentleman (Mr. Forster) said he would state the real case fairly and plainly to the House; and yet all these Gentlemen, with their profuse assurances of candour and non-ambiguity, affect to be surprised and grieved because the House will not fall into the manifest and palpable blunder of discussing and accepting this Bill as a sincere and satisfactory settlement of the question, though there is not one of them who does not know a great deal better than I can tell him, that there has not been for months past a meeting of Reformers—certainly none that has ventured to publish its proceedings—at which this proposal of a settlement by means of a £6 franchise has not been contemptuously set aside as an antiquated and exploded Whig delusion.

No, Sir, the modern school of Reform, well and ably represented by some of my Friends near me, and which is the only school of Reform now in which there is any vitality or logic, glories in a creed more in accordance with an age of enterprize and discovery. They have discovered, or, if they are not the discoverers, they are the first to enunciate on anything like authority the principle that the franchise is the birthright of every Englishman, provided he is a man of sound mind and untainted with crime; though I must confess that I think even that limitation somewhat detracts from the comprehensive liberality of their creed. That is their measure of justice. They will be content with nothing less; and although they are not indisposed to vote for the unsubstantial measure of my hon. Friend, they do so only in the conviction that it carries them so far in the direction in which they wish to go, and is a first, convenient, and irrevocable step towards universal suffrage.

Here, then, is the principle, hardly concealed, of the Bill before us. There is not one of its supporters who will [affect to believe that the £6 franchise contains in itself the solid basis of a settlement. The Home Secretary has told us this evening that there is no magic in the figure "10." No, Sir; but is there any magic in the figure "6?" The promoters of this Bill know, and are acting upon the knowledge, that if there is a reduction from £10 to £6, the same facts, the same arguments, the same motives will operate with increased force to compel a further reduction from £6 to £3, from £3 to 3*s.*; and this first downward movement is but the commencement of a series of descents, with no sound footing or solid resting-place until we touch the bottom of the abyss. Thanks to the statistics of my hon. Friend illustrated by the speeches of his supporters, we are now arriving at an understanding of the real character of the Bill, and of the changes that are likely to follow its adoption. Now, let me ask the House to consider the arguments by which these changes are justified. The franchise, we are told, is the birthright of every

Englishman—it is his badge of citizenship —his charter of freedom. The unenfranchised Englishman, we are told, is a degraded being. The Constitution shuts its door upon him. The Legislature owns no allegiance to him. I even heard an hon. Friend of mine say something in this dedebate about the unenfranchised being hewers of wood, and drawers of water; the non-elector is in fact, a chattel, rather than a free man.

Now, these are the phrases current on the platform—coined and circulated among the masses to instruct them as to their condition and their duty. But is it possible to conceive a string of fallacies more transparent, or a mis-reading of the Constitution more deplorable or flagrant? I join issue with my hon. Friends on their very first point—the basis of their whole creed—the principle of the franchise. I entirely deny that the franchise is, or ever has been in any sense whatever, the right of any man or of any class of men in England. The franchise is conferred by law, not as matter of private right or individual advantage, but as a public trust. It is for the reason that it is a public trust that the Legislature has guarded its exercise with stringent pains and penalties. You punish the elector who sells his vote. Why? Because the vote is not his to sell. You punish the candidate who buys a vote. Why? Because he corruptly contrives to procure the violation of a public trust. That public trust is conferred on individuals and constituencies or withheld from them solely upon considerations of public interest. An individual, therefore, has no more natural or constitutional right to be an elector than he has to be a magistrate, or a Member of Parliament, or a Judge. If public policy requires—and public policy in this country must always be founded on public opinion —that the electoral body should be extremely limited, that it should consist only of the great landowners and the rich millowners, with a qualification of many hundreds or thousands a year, that ought to be the law. If, again, public policy, sanctioned by public opinion, requires that the electoral body should be very numerous and very poor—that all the employers of labour should be excluded, as Peers are now excluded, and that ploughmen and artisans should be elected to Parliament, that ought to be the law. There is no rule of law or claim of right as to the franchise, except the security of public liberty and the promotion of the public welfare.

And even admitting for a moment that the franchise can be a private or personal right, even then, the enlargement or abridgment of that right is within the competence of Parliament, to be decided exclusively on grounds of public policy. If that be granted, and I do not think any hon. Member will dispute it—if the franchise be a trust for public purposes, it is manifestly the duty of the Legislature to keep that purpose steadily in view, and to make it the sole aim and end of our electoral system to secure such a House of Commons as shall most effectually promote the national interests, and faithfully reflect the national character. In fact, Sir, the best distribution of the franchise is that which will secure us the best House of Commons; and by the best House of Commons I mean something very different from that which seems to be floating in the minds of some of my Friends around me, whose ideal of a House of Commons is that it should be so accurate a representation of the character and feelings of all classes in the country, that it should represent their weaknesses and vices, as well as their virtues, their ignorance as well as their intelligence. Now, my idea of the best House of Commons is that it should be the best selection and combination which the nation can furnish of those qualities of sound knowledge, high intelligence, morality, and of political experience, and administrative capacity, that are the attributes of a great deliberative and representative Assembly, traditionally honoured and revered as the Grand Council of the nation, the centre of the wisdom and the power which govern not England but an Empire. If, then, it be admitted that it ought to be the sole aim and purpose of a Reform Bill not to admit or exclude any particular class, but to improve the composition and character of the House of Commons, let us try your Bill by that test.

Now, it appears to me that the first and most obvious effect of your proposed legislation will be to introduce a new class of voters, more numerous than all the other classes combined. ["No, no!"] I must confess I was not prepared for these expressions of dissent from my hon. Friends behind me who prefer candour to statistics. The phrase that I used was "proposed legislation," because this Bill is confessedly only an instalment. ["No, no!"] That is now denied; but from the very same quarter from which cheers proceeded before, when the word "instalment" was mentioned. The Bill is but the commencement of a series. It is Bill No. 1; it is what my hon. Friend the Member for Huddersfield (Mr. Leatham) calls a single-barrel Reform Bill, and we know that there is a double-barrel ready charged. Suppose, then, that this Bill No. 1 does not swamp the existing constituencies, we know that No. 2 is ready to accomplish that which No. 1 may fail to execute. Therefore, I say, the first effect of this Bill will be to introduce a new class of votèrs more numerous than all those now existing combined; and this new class will have not only a share but a preponderance of political power. The old constituency will be swamped and a new one enthroned. The first question we have to ask is this, will the new constituency be an improvement on the old? Tried by the standard of intelligence it will not. The existing constituency is composed of a variety of classes with divers degrees of intelligence, but generally of a high order; but your new constituency will be all of one class, and with a standard of intelligence very far below that of the body they are supplanting.

Strange to say, however, this change is justified on the plea of intelligence. The working classes are so intelligent! But are the middle classes not intelligent? What unfitness have they shown, what offence have they committed, that they should be so contemptuously set aside? You tell us that new classes have become qualified for the franchise; we do not deny that; but do you say that the old classes have become disqualified? You dare not say that, but you do disqualify them, for you swamp them, and swamping is disqualifying, disfranchising, politically extinguishing.

My hon. Friends profess immense respect for intelligence—it is an idol of their worship; but, mind you, only when it is allied with poverty. They have unbounded respect for the intelligence of the artisan, but they pass by with an indifference almost savouring of contempt the intelligence of the middle-class shopkeeper and employer. But surely you have no right to enfranchise one class because it is intelligent, while, by so doing, you disfranchise another which is more intelligent. I know no stronger condemnation that can be pronounced against your Bill than this glaring injustice on the face of it, that it would deprive a higher class of voters of political power in order to give a monopoly to a lower.

I am aware I may be told, as others have been told before me, that I am disparaging the working classes, that I am not prepared to trust them. Sir, I will trust the working classes exactly as far as I will trust any other class, and no further. I would not give a monopoly of political power to an aristocratic class; I would not give it to the middle class; and I would not give it to the working class for precisely the same reasons. I acknowledge—as every observant and reflecting man must gratefully acknowledge—the advancing intelligence and morality of the working class; but I cannot descend to the hypocrisy of complimenting them at the expense of other classes. I tell them—what they know full well—that intelligence is the result of education; and in every country the class which has least leisure must have least education, and that is of necessity the working class. Still, I say, we have reason to be proud of our English working class; and never to my mind has their intelligence been more marked or their character more worthy of respect than when they turn a cold shoulder to those amiable but weak and enthusiastic admirers of democratic institutions who appear to flatter their intelligence only to miscalculate their credulity, while they enlarge upon fancied wrongs and imaginary grievances, the detail of which would have inflamed the ignorant multitude of twenty-five years ago, but are only listened to as matter of indifference, and frequently of entertainment, by the well-informed and well-contented masses in the present day.

But, although I do not approve the provisions of this Bill, I frankly avow that I never wish to see the day when the operative class in this country shall be indifferent to political affairs, and I am as alive as any of my friends can be to the desirability of admitting them to a larger share of political power. But unfortunately the problem has never yet been solved, how to give the masses a large share of political power without giving them a monopoly. I agree entirely with what has been so truly said by the hon. Member for Leeds, that the uniform £10 franchise, substituted in 1832 for the variety of franchises it swept away, was the great defect of the Reform Act; but that which was an accident in the hurry of revolution would become under this Bill an established rule, determining all future changes in the franchise; every successive change diminishing the influence of wealth and education and establishing the principle of numbers. But the principle of numbers involves the principle of equality; leading to the conclusion that every man is equally fit to choose a Member of Parliament—the ploughman as fit as a Prime Minister, the spinner as fit as the master manufacturer. Is that what you now mean to say? Do you really think that 100 artisans ought to have more political power than ninety-nine employers? Ought 100 labourers and ploughmen to have more political power than ninety-nine squires? You dare not say so in words, yet you propose to establish it by your legislation. These arguments, which might be multiplied and extended indefinitely are, to any man who prefers a Monarchy to a Democracy, condemnatory of this Bill on its merits.

But then another pressure is put upon us to induce us to accept this Bill. The faith of this Parliament is pledged to Reform—the question is one of public character and honour. For six years, my hon. Friend says behind me, has this perfidious Parliament gone on disregarding its pledges and cheating the country; but the hour of retribution is at hand, the sinner is about to die, and so his last moments are disturbed by the spectre of Reform stalking in, personified by my hon. Friends the Members for Liskeard and Leeds and standing by the bedside of the expiring criminal, urging him to repent and confess before it is too late.

Now, Sir, it must be admitted that the occasion, on the eve of a dissolution, is peculiarly fitting for the task of self-examination and confession; and it cannot be denied that the present position of the House of Commons in regard to Reform is so peculiar, so anomalous, and so perfectly unexampled, that before we are dispersed the country has a right to some explanation of these remarkable circumstances of our career either in the way of apology or justification. For, as was ably and powerfully urged by my hon. Friend the Member for Huddersfield (Mr. Leatham), the one question which this House of Commons was elected to deal with was so well understood, the circumstances under which the last Government was ejected from office were so notorious, the pledges under which the present Government took office were so positive and precise, and their undisputed retention of office, after the abandonment of their Reform Bill, was at first sight so incomprehensible, that I do think we are bound to attempt some answer to the question of the hon. Member for Huddersfield how it is that a state of things so strange and apparently so little creditable to the House of Commons should have been so long tolerated by the country.

Sir, to those who have watched and studied the Reform question long, and anxiously, and deeply, the explanation is not so difficult nor is it, on the whole, so unsatisfactory as it appeared to my hon. Friend. It is well known that all the abortive Reform Bills previous to 1859 were the work of one man. As long as he was a Member of the House of Commons, Lord Russell appeared to have, on the question of Parliamentary Reform, positively a monomania. He had such an agreeable recollection of the plaudits of 1832 that he seemed to think that, whenever the popularity of his party was at a discount, he had nothing to do but to pull a new Reform Bill out of his red box to insure a new lease of popularity and power. Of all the prominent persons with whom he was associated, Ministers and statesmen, he was the only man who wanted these Reform Bills, and he was compelled to abandon them because the country did not want them. Well, when the present Prime Minister was called to the head of affairs he showed himself of a more tranquil and sagacious temperament. He would not move on Reform—he could not be got to move—but when a Conservative Government thought it right to produce a large measure of Reform, and their opponents thought it right to turn them out upon it, then the noble Lord had no alternative. He bent to the storm; and so his Cabinet in 1860 undertook to settle the Reform question, and as their opponents have facetiously reminded them, settle it they did most effectually. But let me ask the House, was that settlement the work of the Government, of Parliament, or of the country? Well, let us be fair and speak out the truth—it was the joint work of all three. The Ministry were not more responsible than the Parliament, nor Parliament more responsible than the public out of doors.

The fact is, the question of the suffrage had never been seriously studied or considered until that Session of 1860. It was then only its gravity was understood. Before that hon. Gentlemen—

especially on this side of the House—had been accustomed to deal in platitudes about Reform, without thinking what it really meant, how it was to be accomplished, or to what it was to lead. Extension of the suffrage had been a popular cry, a hustings plaything, a vague fiction rather than a reality. But when the Bill of 1860 was read a second time unopposed, and popular Members were cheered with the glad tidings that their prayers for a large increase of their constituencies had at last been heard, then, for the first time, extension of the suffrage presented itself to their minds as a real business question, and viewed in that new aspect the more they looked at it the less they liked it. And then they began to inquire of one another what extension of the suffrage really meant, on what principle it proceeded, what further changes and consequences it must necessitate; and then they were startled by the discovery that the great problem it involved—how to give the masses a large share of political power without giving them a monopoly—had never been thought out; and then uneasiness grew into alarm, and alarm expanded into panic, as they found how carelessly they had been advancing to the very brink of a volcano; and then the newly awakened conscience of honourable men pricked them in many places; and then arose that strong and general determination, on these Benches as well as those, to postpone, by any and every means, this first, irrevocable, downward step, and gain, if possible, only one year of breathing time for a more statesmanlike and scientific investigation than had yet been brought to bear on this momentous change.

And this feeling in the House was only a reflection of the feeling out of doors. The thought and intelligence of the country condemned the Bill. Among educated men, not avowed Democrats, it had not a sincere friend; and the nation became seriously alarmed as it gathered from the debates in Parliament how little real light was guiding the Government proposal, and that a rash and ill-considered measure was threatening to subjugate the whole State to the dominion of the masses. I appeal to any candid man who hears me for the truth of what I am now saying. And so it was, Sir, that only after the last general election the education of Parliament and the country on the entire bearing of the suffrage question may be said fairly to have commenced. All thoughtful men saw that the nation had had a great escape; there was no inclination to rush into fresh danger; and the Government, wisely observant of this changed state of feeling, and perhaps having themselves acquired some new perception of the great principles and consequences involved, opened the Session of 1861 without a Reform Bill, and boldly challenged the judgment of Parliament on their conduct.

And the challenge was accepted. My hon. Friend the Member for Brighton (Mr. White) promptly responded to that challenge. He at least was determined that the Reform question should not be laid aside without some of its loud professing friends making a stand and a protest in its behalf. He adopted the manly course, he moved an Amendment to the Address affirming the necessity for Reform, and by implication censuring the Government for its abandonment.

Now, here was the issue which the Government had invited fairly raised, and if that Amendment had been carried the Government must have gone out. My hon. Friend the Member for Brighton applied a test far better than this which is now being applied on the eve of a dissolution—to the sincerity and consistency of professing Reformers. Would they sacrifice Reform to the Government, or would they sacrifice the Government to Reform? "And what," said my hon. Friend, "what signifies the existence of a Government compared with the fulfilment of the great Reform mission? Do not we all know that great questions have been always advanced by the sacrifice of Governments, and that nothing assists a popular question so much as the sacrifice of an obstructive Government which stands in the way of its advancement." My hon. Friend, therefore, left to the House, individually and collectively, no escape. Those who believed that the Government had done well to abandon a scheme which the apathy and distrust of the country made it impossible for them to carry, voted honourably with the Government. Those, on the other hand, who thought their hustings' pledges the first consideration, who were determined to stand by those pledges, and at all hazards to force Reform on the Government, voted manfully with the Member for Brighton. Now, my noble Friend (Lord Elcho), who moved this Amendment, addressed an important, and as it turned out, rather an embarrassing question to the Member for Leeds on this point. He asked him which of the two contending parties had the advantage of his countenance on that memorable occasion? And I must say that the answer, coming from this great champion of the unenfranchised, was perfectly astounding. He voted with neither party—he was not a supporter of the Government, he was not a friend of Reform. To be sure the Member for Liskeard (Mr. Osborne) rushed to the rescue, and carrying his memory back five years, he told us that the hon. Member for Leeds was very much indisposed on that particular evening. But the indisposition must have been very sudden, because there was no doubt that my hon. Friend was in the House when the question was about to be put. Sir, the hon. Member for Leeds may return the compliment; he may repay the service of the hon. Member for Liskeard, because I am told by those who have looked to the division list that the hon. Member for Liskeard was also absent on that occasion. Now, I may ask, was the hon. Member for Liskeard also suddenly indisposed? The fact was, Sir, that when, with all the dignity of the Chair, you enunciated in authoritative tones "Strangers must withdraw," a sudden epidemic seized these Benches, and then the Members for Liskeard and Leeds executed a strategic movement, which deprived the hon. Member for Brighton of the flower of his army. And so, being abandoned and betrayed by his trusty allies, he fell an easy prey to the myrmidons of the Government.

Sir, I would not assume to canvass or criticize the tactics of my hon. Members. We know that great heroes have run away from great battles from the time of Homer downwards; but there was one novelty in this proceeding of my friends, for which I can find no precedent in history either ancient or modern—namely, that as soon as the battle was over, the fugitives and deserters should re-appear on the field brandishing their weapons, and exclaiming, "You have had a real fight; now let us have a second, a sham fight, and you shall see how valiant we will be, and how mercilessly we will cut up the enemy." And then it appears more audacious still, that those who have stood by their colours in the hour of need, should be denounced as traitors and renegades, because they will not parade themselves under the counterfeit banner of these resuscitated heroes, who took good care not to be among the killed and wounded, but were returned next day as "suspiciously missing." I have said that the Parliament on that occasion absolved the Ministry. One thing, however, remained — to absolve those who had absconded from the division. That, as the hon. Member for Brighton knows, was no easy task, but it was cleverly accomplished. As legislation was confessedly impossible, there could be no harm in introducing a Bill of their own, and certainly never was there a more ingenious device for saving time, trouble, and appearances. Here is the Bill before us, and what is it? Nothing more nor less than word for word the franchise clause of the condemned and abandoned Government Bill, which the Member for Leeds transcribed and handed in with as little thought and trouble as he would write an order for the Gallery. But if the Bill proposed by the Government was objectionable, surely this one naked and unbalanced franchise clause artfully improvised into an enactment was infinitely more objectionable. For a Government Bill can grapple with the Reform question as a whole, and the House can add modifications and qualifications to a measure originally crude, so that any one might very consistently vote for the second reading of a Government Bill with the intention of moving or supporting Amendments in Committee. But this Bill consists of one single naked provision — that the franchise must move downwards, and, affirming practically that the question is one which requires neither thought nor deliberation, nor design, nor statesmanship; it sets the franchise rolling down the hill with as much indifference where it may roll to as a schoolboy chucks a stone over a precipice. You may call this a Bill by courtesy, but it appears to me that it resembles nothing so much as one of Hodge's razors, that were made not to shave but to sell.

I have said that the Ministry were absolved by the House of Commons, but were not both the House of Commons and the Ministry absolved by the country? What happened? We have seen that the Government abandoned their Reform Bill, and retained their places. They not only did that, but they retained the confidence of Parliament, and the undiminished support of the advanced Reformers, who now shower upon them those reproaches which they have suppressed through six long years, during which they have always been ready to give them their good word, and, what was more valuable, their good votes, to keep this faithless

Ministry in their places. But what about the unenfranchised? How did the Government stand with them? We are told that they disappointed and deceived the unenfranchised; but the noble Lord who was the chief of this faithless Government was so little ashamed or afraid of what he had done, that immediately after the abandonment of his Bill he took the earliest occasion publicly and ostentatiously to visit the very constituency that has now become the focus of the Reform agitation, and at the very time when they must have been smarting under a sense of their ill-usage, the noble Lord invited an expression of opinion from the non-electors of Leeds. Now, Sir, do not let us be told that it was within the compass of possibility, that on a question so vital to the masses, on which the country had been excited, the Parliament dissolved, and a Government turned out, an English Minister would dare to challenge a demonstration in the provinces if he had really disappointed and deceived the country. That was manifestly impossible, and I do not expect to hear from advanced Reformers any such imputation on the spirit and character of the masses. Well, then, when the noble Lord was invited and received with enthusiasm at Leeds, when he was subsequently again invited and received with rapturous applause at Bradford—[Mr. W. E. Forster: No!] I beg the hon. Gentleman's pardon — I say rapturously received by all classes at Bradford—again, when he crossed the Border and received the same enthusiastic welcome from three or four of the most populous and advanced constituencies in Scotland—what did it all mean? It could only mean one thing, that in these great constituencies, the agitators for Reform, those who were disappointed and displeased by the abandonment of the Bill were a small and helpless minority, and that the great majority of these enlightened constituencies — a majority so great as to carry their reluctant representatives with them in doing honour to this faithless Minister—not only took no exception to the abandonment of Reform, but heartily approved of and endorsed it. They knew that the noble Lord at the head of the Government had never affected to consider the Reform cry as anything but artificial and unreal; and that he had rather tolerated than heartily endorsed the large Reform projects of his Colleague; they recognized in that the noble Lord's practical sagacity and intuitive perception of English feelings and requirements, and so they hailed him as a public benefactor who had saved Parliament from an enormous folly, and the country from a very serious danger.

And this is our answer to the promoters of this Bill. We tell you, Reason is not with you, Justice is not with you, Policy is not with you; and, above all, the nation is not with you. Even the unenfranchised stand aloof from you, and disown you—for they, too, have been educated on Reform, educated by discussions at home and by events abroad, and they know that, as a class, they have more to lose than gain by democratic change, inasmuch as, under our present system, theoretically imperfect as it may be, they know that their feelings, wants, and interests are more considered and better cared for, and that they possess a greater amount of liberty and comfort than is enjoyed by their class in any other country in the world, and without one practical grievance to complain of. It must, however, be admitted that this House of Commons has not redeemed its pledges on Reform, and the hon. Member for Leeds affixes that stigma on the Liberal party, before whose eyes he dangles this Bill as a hustings test, but which, I think, is used by some of its promoters less to test others than to whitewash themselves.

Still, it must be admitted, the Liberal party have not redeemed their hustings' pledges on Reform—very much the reverse; but have they really lost character by that? Only, Sir, if they now relapse into their old fallacies and delusions; only if they allow the hon. Member for Leeds to drag them through the mire of used-up pledges, and shifted devices, and exploded electioneering claptraps, then, indeed, there must be discredit and humiliation in the acknowledgment of unfaithfulness in the past, and the renewal of half-hearted utterances as to the future.

But there is another, a far better, a wiser, aye, and a safer course, which redeems the past while it disembarrasses the future. It is to proclaim the truth; that the mind of Parliament and of the nation has changed — that successive Queen's Speeches which, promising large measures of Reform in a downward direction, were a mistake—that the Ministers who insisted on those Speeches have been discredited —that the Liberal party has been damaged by its blindness and inconsiderateness on Reform—and that its recent silence has not been an evasion of duty, but a deliberate policy caused by sincere conviction resulting from improved experience, and enforced by its respect for the unmistakable feeling of the country. That, Sir, I humbly venture to suggest, would be a course more dignified, and I am sure it would be more popular, than for Liberal Members to suffer themselves now to be apparently coerced into the support of a measure which their judgment has notoriously condemned. Aye, and let me say it would strengthen the Liberal party for their true mission of sincere and practical Reformers, ever ready and anxious to extend the true rights and enlarge the real liberties of the country. And it is in that character, in which you yourselves wish to be regarded as the protectors of the rights and liberties of all classes of your countrymen, that I appeal to you now, and tell you that it is your duty as Reformers to reject this, which is not an enfranchising, but a disfranchising measure; which is not an extension, but a diversion of the suffrage; which is less a bestowal than a transfer of political power; which degrades and disqualifies education to give paramount power to numbers, and under the disguise of Reform, blindly, rashly, and senselessly enacts a revolution.

Mr. DISRAELI: Sir, I could have wished, and once I almost believed, that it was not necessary for me to take part in this debate. I look on this discussion as the natural Epilogue to the Parliament of 1859. We remember the Prologue. I consider this to be a controversy between the "educated section of the Liberal party," and that section of the Liberal party, not entitled, according to their companions and Colleagues, to an epithet so euphuistic and complimentary. But after the speech of the Minister, I hardly think it would become me—representing the opinions of the Gentlemen with whom I am acting on this side of the House—entirely to be silent.

Sir, we have a measure before us tonight which is to increase the franchise in boroughs. I object to that measure. I object to it because an increase of the franchise in boroughs is a proposal to redistribute political power in the country. I do not think that the distribution of political power in the country ought to be treated partially—from the very nature of things it is impossible, if there is to be a re-distribution of political power, that you can only regard the suffrage as it affects one section of the constituent body. Whatever the proposition of the hon. Gentleman—whether abstractedly it may be expedient or not—this is quite clear, that it must be considered not only in relation to the particular persons with whom it will deal, but in relation to other persons with whom it does not deal, though it would affect them. And, therefore, it has always been clear that if you deal with the subject, popularly called Parliamentary Reform, you must deal with it comprehensively. The arrangements you may make with reference to one part of the constituency may not be objectionable in themselves, but may be extremely objectionable if you consider them with relation to other parts. Consequently, it has been held—and the more we consider the subject the more true and just appears to be the conclusion—that if you deal with the matter you must deal with it as a whole. You must not only consider borough constituencies, you must consider county constituencies; and when persons rise up and urge their claims to be introduced into the constituent body, even if you think there is a plausible case substantiated on their part, you are bound in policy and justice to consider also the claim of other bodies not in possession of the franchise, but whose right to consideration may be equally valid. And so clear is it, when you come to the distribution of power, that you must consider the subject in all its bearings, that even hon. Gentlemen who have taken part in this debate, which is one merely on the borough franchise, have not been able to avoid the question of what they call the re-distribution of seats—a very important part of the question to which I have referred, the distribution of power. It is easy for the hon. Member for Liskeard (Mr. Bernal Osborne), for example, to rise and say, in supporting this measure for the increase of the borough franchise, that it is impossible any longer to conceal the anomalies of our system in regard to the distribution of seats. "Is it not monstrous," he asks, "that Calne, with 173 voters, should return a Member, while Glasgow returns only two, with a constituency of 20,000?" Well, it may be equally monstrous that Liskeard should return one Member, and that Birkenhead should only make a similar return. Sir, the distribution of seats—as any one must know who has ever considered the subject deeply and with a sense of responsibility towards the country—is one of the most profound and difficult questions that can be brought before the House. It is all very well to treat it in an easy off-hand manner; but how are you to reconcile the case of North Cheshire, of North Durham, of West Kent, and many other counties, where you find a few towns, with an aggregate population, perhaps, of 100,000, returning six Members to this House, while the rest of the population of the county, though equal in amount, returns only two Members? How are you to meet the case of the West Riding in reference to its boroughs, or the case of the representation of South Lancashire in reference to its boroughs? Why, those are more anomalous than the case of Calne. Then there is the question of Scotland. With a population hardly equal to that of the metropolis, and with wealth greatly inferior—probably not more than two-thirds of the amount—Scotland yet possesses forty-eight Members, while the metropolis has only twenty. Do you Reformers mean to say that you are prepared to disfranchise Scotland in proportion to the population; or that you are going to develope the representation of the metropolis in proportion to its population and property; and so allow a country like England, so devoted to local government and so influenced by local feeling, to be governed by London? And, therefore, when those speeches are made which gain a cheer for the moment, and are supposed to be so unanswerable as arguments in favour of Parliamentary change, I would recommend the House to recollect that this as a question is one of the most difficult and one of the deepest that can possibly engage the attention of the country. The fact is this—in the representation of this country you do not depend on population or on property merely, or on both conjoined; you have to see that there is something besides population and property —you have to take care that the country itself is represented. That is one reason why I am opposed to the second reading of the Bill—because it deals partially with the subject, and not completely and comprehensively.

Sir, there is another objection which I have to this Bill brought forward by the hon. Member for Leeds, and that is that it is brought forward by the Member for Leeds. I do not consider this a subject which ought to be intrusted to the care and guidance of any individual Member in this House. If there be one subject more than another that deserves the consideration and demands the responsibility of the Government, it certainly is the re-construction of our Parliamentary system; and it is the Government or a political party candidates for power, who recommend a policy, and who will not shrink from the responsibility of carrying that policy into effect if the opportunity be afforded to them, who alone are qualified to deal with such a question. But, Sir, I shall be told — as we have been told in a previous portion of the adjourned debate— that the two great parties of the State cannot be trusted to deal with this question, because they have both trifled with it. That is a charge which has been made repeatedly during this discussion and on previous occasions, and certainly a graver one could not be made in this House. I am not prepared to admit that even our opponents have trifled with this question. We have had a very animated account by the right hon. Gentleman who has just addressed us as to what may be called the Story of the Reform Measures. It was animated, but it was not accurate. Mine will be accurate, though perhaps not animated. I am not prepared to believe that English statesmen, though they be opposed to me in politics and may sit on opposite Benches, could ever have intended to trifle with this question. I think that possibly they may have made great mistakes in the course which they took; they may have miscalculated, they may have been misled; but I do not believe that any men in this country, occupying the posts—the eminent posts—of those who have recommended any re-construction of our Parliamentary system in modern days, could have advised a course which they disapproved. They may have thought it perilous—they may have thought it difficult—but though they may have been misled I am convinced they must have felt that it was necessary. Let me say a word on behalf of one with whom I have had no political connection and to whom I have been placed in constant opposition in this House when he was an honoured Member of it—I mean Lord Russell. I cannot at all agree with the lively narrative of the right hon. Gentleman, according to which Parliamentary Reform was but the creature of Lord John Russell, whose Cabinet, controlled by him with the vigour of a Richelieu, at all times disapproved his course; still less can I acknowledge that merely to amuse himself, or in a moment of difficulty to excite some popular sympathy, Lord John Russell was a statesman always with a Reform Bill in his pocket, ready to produce it and make a display. How different, says the right hon. Gentleman, from that astute and sagacious statesman now at the head of Her Majesty's Government, whom I almost hoped to have seen in his place this evening. I am sure it would have given the House great pleasure to have seen him here, and I certainly did hope that the noble Lord would have been enabled to be in his place and prepared to support his policy. According to the animated but not quite accurate account of the right hon. Gentleman who has just sat down, all that Lord Derby did was to sanction and humour the caprices of Lord John Russell. Now, I must remind the right hon. Gentleman that he has forgotten the history of the subject, recent though it be. It is true that Lord John Russell, when Prime Minister, recommended that Her Majesty in the Speech from the Throne should call the attention of Parliament to the condition of our representative system. There is no doubt about that. But Lord John Russell unfortunately shortly afterwards retired from his eminent position. He was soon after succeeded by one of the most considerable statesmen of our days—a statesman not connected with the political school of Lord John Russell, who was supported by a whole staff of eminent statesmen who had been educated in the same school and under the same distinguished master. This eminent statesman, however, is entirely forgotten by the right hon. Gentleman, although he took office with every advantage. The right hon. Gentleman overlooks the fact that Lord Aberdeen, when Prime Minister, and when all the principal places in his Cabinet were filled with the disciples of Sir Robert Peel, did think it his duty to recommend the same counsel to Her Majesty. But this is an important, though not the only important, item in the history of the Reform Bill which has been ignored by the right hon. Gentleman. But is this all? The time came when Lord Aberdeen gave place to another statesman, one who has been complimented to-night on his sagacity in evading the subject—as if such a course would be a subject for congratulation. Let me vindicate the policy of Lord Palmerston in his absence. He did not evade the question. Lord Palmerston followed the example of Lord John Russell. He followed the example, also, of Lord Aberdeen, and recommended Her Majesty to notice the subject of Parliamentary Reform in the Speech from the Throne. What becomes, then, of the lively narrative of the right hon. Gentleman, and the inference, and conclusions which he drew from it? Not only is his account inaccurate, but it is injurious, as I take it, to the honour of public men. Well, now you have three Prime Ministers — not one merely from caprice or personal littleness — bringing forward the question of Parliamentary Reform; you have Lord John Russell, Lord Aberdeen, and you have even that statesman who, according to the account of the right hon. Gentleman, was so eminent for his sagacity in evading the subject altogether. Now, let me ask the House to consider the positon of Lord Derby when he was called to power—a position which you cannot rightly understand if you accept as correct the fallacious statements of the right hon. Gentleman. I will give the House an account of this subject the accuracy of which I believe neither side will impugn. It may not possibly be without interest, and will not, I am sure, be without significance. Lord Derby was sent for by Her Majesty, an unwilling candidate for office—for let me remind the House that at that moment he had an adverse majority of 140 in the House of Commons, and I therefore do not think that Lord Derby was open to any imputation in hesitating to accept political responsibility under such circumstances. Lord Derby laid these considerations before Her Majesty. I speak, of course, with reserve, yet really say nothing now which I have not said before in the discussion of these matters in this House. But when a Government comes in on Reform and remains in power six years without passing any measure of the kind, it is possible that these circumstances, too, may be lost sight of. Lord Derby advised Her Majesty not to form a Government under his influence, because there existed so large a majority against him in the House of Commons, and because this question of Reform was placed in such a position that it was impossible not to deal with it, and he did not wish to deal with it. For it should be remembered that Lord Derby was a Member of the famous Cabinet which carried the Reform Bill in 1832. Lord Derby, as Lord Stanley, was in the House of Commons one of the most efficient promoters of the measure. Lord Derby believed that the Bill had tended to effect the purpose for which it was designed; and although no man superior, as he is, to prejudice could fail to see that some who were qualified for the exercise of the franchise were still debarred from the privilege, yet he could not also fail to perceive the danger which would arise in a country like England from constantly tampering with the franchise, and that therefore it was inexpedient to deal with the question. On these grounds Lord Derby declined the honour which Her Majesty desired to confer upon him. Her Majesty was then left without advisers, and the appeal to Lord Derby was repeated. Under such circumstances it was impossible for any English statesman to hesitate. But I am bound to say that although there was no contract or understanding further than that which prevails among men, however different their politics, who love their country and wish to maintain its greatness, still there was an understanding at the time among men of weight on both sides of the House that the position in which the Reform question was placed was one embarrassing to the Crown and not creditable to the House, and that any Minister trying his best to deal with it under these circumstances would receive not a pledge of support to his measure—that would be impossible and preposterous—but would be insured the candid consideration of the House. It was thought, moreover, that the time had possibly arrived when both parties might unite in endeavouring to bring about a solution to the advantage and benefit of the country. Under these circumstances Lord Derby gave his mind to the measure. And yet, says the right hon. Gentleman who has just addressed you, it was only in 1860 that the portentous truth flashed across the mind of the country that the question of Parliamentary Reform was this—was it possible to admit a portion of the working classes to the enjoyment of the franchise, without impairing the constitution of the country — it was only in 1860, after so many Ministers had been dealing with the question for so many years that this real state of the question flashed upon the conscience of the country. All I can say is that this was the question, and the only question, which engaged the attention of Lord Derby's Cabinet in 1858. The question was, whether they could secure the franchise for a certain portion of the working classes who, by their industry, their intelligence, and their integrity showed that they were worthy of such a possession, without at the same time overwhelming the rest of the constituency by the numbers of those whom they admitted That, Sir, was the only question which occupied the attention of the Government of Lord Derby ; and yet the right hon. Gentleman says that it was only in 1860 that the attention of the public was first called to the subject, when, in fact, the question of Parliamentary Reform had been before them for more than ten years, and on a greater scale than that embraced by the measure under consideration this evening. I need not remind the House of the reception which Lord Derby's Bill encountered. It is neither my disposition nor, I am sure, that of any of my Colleagues, to complain of the votes of this House on that occasion, nor to indulge in reproaches against any of its Members. Political life must be taken as you find it, and so far as I am concerned not a word shall escape me on the subject. But from the speeches made the first night of this debate, and from the speech made by the right hon. Gentleman this evening, I deem it my duty to vindicate the conduct pursued by the party with which I act. I say we were perfectly well aware of the great question which it was our business to solve, and I say this now which I would not have said under other circumstances, that I believe that the measure which we brought forward was the only one which has attempted to meet its difficulties. Totally irrespective of other modes of dealing with the question, there were two franchises especially proposed on that occasion which, in my mind, would have done much towards solving them. The first was the franchise founded upon personal property, and the second the franchise founded upon partial occupation. Those two franchises, irrespective of other modes by which we attempted to meet the want and the difficulty—those two franchises, had they been brought into Committee of this House, would, in my opinion, have been so shaped and adapted that they would have effected those objects which the majority of the House desire. We endeavoured in that Bill to make proposals which were in the genius of the English Constitution. It is easy to speak of the English Constitution as a mere phrase. We did not consider the Constitution a mere phrase. We knew that the Constitution of this country is a monarchy tempered by the authority of co-ordinate estates of the realm. We knew that the House of Commons is an estate of the realm. We knew that an estate of the realm is a political body, invested with political power for the Government of the country and for the public good; therefore a body founded upon privilege and not upon right. It is therefore in the noblest and properest sense of the word an aristocratic body, and from the first the estate of the Commons has had that character. From that characteristic the Reform Bill of 1832 did not derogate; and if at this moment we could contrive, as we proposed to do in 1859, to add considerably to the number of the constituent body, we should not change that characteristic, but it would still remain founded upon an aristocratic principle.

Well, now the right hon. Gentleman the Secretary of State has addressed us to-night in a remarkable speech. He also takes up the history of Reform; but before I touch upon some of the features of that speech it is my duty to refer to the statements which he made with regard to the policy which the Government of Lord Derby was prepared to assume after the general election of 1859. By a total misrepresentation of the character of the Amendment proposed by Lord John Russell, which threw the Government in 1858 into a minority, and by quoting a passage from a very long speech of mine in 1859, the right hon. Gentleman most dexterously conveyed these two propositions to the House—first, that Lord John Russell had proposed an Amendment to our Reform Bill, by which the House declared that no Bill could be satisfactory by which the working classes were not admitted to the franchise—one of our main objects being that the working classes should in a great measure be admitted to the franchise; and secondly, that after the election I was prepared, as the organ of the Government, to give up all the schemes of those franchises founded upon personal property, partial occupation, and other grounds, and to substitute a Bill lowering the borough qualification. That, in the first place, conveyed to the House a totally inaccurate idea of the Amendment of Lord John Russell. There was not a single word in that Amendment about the working classes. There was not a single phrase upon which that issue was raised; nor could it have been raised, because our Bill, whether it could have effected the object or not, was a Bill which proposed greatly to enfranchise the working classes. And, in the second place, as regards the statement I made it simply was this. The election was over—we were still Ministers; and still acting according to our sense of duty, recommended in the Royal Speech that the question of Parliamentary Reform should be dealt with; because I must be allowed to remind the House that whatever may have been our errors, we never paltered with the Reform question—we proposed a Bill which we intended to carry. And having once taken up the question as a matter of duty, no doubt greatly influenced by what we considered the unhappy mistakes of our predecessors, and the difficult position in which they had placed the Crown, Parliament, and the country, we determined not to leave the question until it had been settled. As Ministers of the Crown we felt it to be our duty to recommend to Her Majesty to introduce the question of Reform in the Speech from the Throne which opened the Parliament of 1859. And how were we, except in that spirit of compromise which is the principal characteristic of our political system—how could we introduce a Reform Bill after that election, without in some degree considering the possibility of lowering the borough franchise? But it was not a franchise of £6, but an arrangement that was to be taken with the rest of the Bill, and if it had been met in the same spirit a measure might have been passed. But, says the right hon. Baronet, pursuing his history of the Reform question "when the Government of Lord Derby retired from office, we came in and we were perfectly sincere in our intentions to carry that Reform Bill to which we had pledged ourselves and by means of which we had driven the Government from office—but look at the opposition we received—there never was such opposition. There was the right hon. Gentleman," meaning myself—"he absolutely allowed our Bill to be read a second time." That tremendous reckless opposition of mine which allowed the Bill to be read a second time, seems to have laid the Government prostrate. If I had succeeded in throwing out the Bill, we should have relieved the new Government from great embarrassment; but, their Bill having been read a second time, the Government were quite overcome, and it appears have never recovered the paralysis up to this time. The right hon. Gentleman was good enough to say that the proposition of his Government was rather coldly received upon his side of the House, but he said "nobody spoke against it." Certainly, nobody spoke against the Bill on this side; but I think I remember some remarkable speeches from the right hon. Gentleman's friends against their measure. There was the great city of Edinburgh represented by an acute eloquence of which we never weary, and which again upon the present occasion we have heard; there was the great city of Bristol, represented also by a devoted supporter of the Government, and many other constituencies of equal importance. But the most remarkable speech—the speech which "killed Cock Robin,"—was absolutely delivered by one who might be described as a Member of the Government—the Chairman of Ways and Means, and who, I believe, spoke from immediately behind the Prime Minister. Did the Government express any disapprobation of such conduct? They promoted him to a great post, and sent him to India with an income of fabulous amount. And now they are astonished they cannot carry a Reform Bill. If they remove all those among their supporters who oppose such Bills by preferring them to posts of great confidence and great lucre, how can they suppose that they will ever carry one? Looking at the policy of the Government, I am not at all astonished at the speech which the right hon. Gentleman the Secretary of State has made this evening. Of which speech I may observe, that although it was remarkable for many things, yet there were two salient conclusions at which the right hon. Gentleman arrived. First, the repudiation of the rights of man, and next, the repudiation of the £6 franchise. The first is a great relief; and, remembering what the feeling of the House was only a year ago, when, by the dangerous eloquence of the Chancellor of the Exchequer, we were led to believe that the days of Tom Paine had returned, and that Rousseau was to be rivalled in a new social contract, it must be a vast relief to every respectable man here to find that not only are we not to have the rights of man, but we are not even to have the £6 franchise. It is a matter, I think, of much congratulation, and I am ready to give credit to the Secretary of State for the honesty with which he has expressed himself; I only wish we had had the same frankness, the same honesty of expression, arising from a clear view of his subject, in the first year of the Parliament as we have had in the last. I will follow the example of the right hon. Gentleman and his friends and be frank. I have not changed my opinion upon the subject of what is called Parliamentary Reform. All that has occurred—all that I have observed—all the results of my reflections, lead me to this more and more—that the principle upon which the constituencies of this country should be increased is one not of radical, but I would say of lateral, reform—the extension of the franchise, not its degradation. Although—I do not wish in any way to deny it—we were in the most difficult position when the Parliament of 1859 met, being anxious to assist the Crown and the Parliament, by proposing some moderate measure which men on both sides might support, we did, to a certain extent, agree to some modification of the £10 franchise—yet I confess that my present opinion is opposed, as it originally was, to any course of the kind. I think that it would fail in its object; that it would not secure the introduction of that particular class which we all desire to introduce, but that it would introduce many others who are unworthy of the suffrage. But, Sir, I retain these opinions — I think it is possible to increase the electoral body of the country, if the opportunity were favourable, and the necessity urgent, by the introduction of voters upon principles in unison with the principles of the Constitution, so that the suffrage should remain a privilege, and not a right—a privilege to be gained by virtue, by intelligence, by industry, by integrity, and to be exercised for the common good. And I I think if you quit that ground—if you once admit that every man has a right to vote whom you cannot prove to be disqualified for it, you would change the character of the Constitution, and you would change it in a manner which will tend to lower the importance of this country. Between the scheme we brought forward and the measure brought forward by the hon. Member for Leeds, and the inevitable conclusion which its principal supporters acknowledge it must lead to, it is a question between an aristocratic Government in the proper sense of the term—that is, a Government by the best men of all classes—and a democracy. I doubt very much whether a democracy is a Government that would suit this country; and it is just as well that the House when coming to a vote on this question should really consider if that be the issue—and it is the real issue—between retaining the present Constitution—not the present constituent body, but between the present Constitution and a democracy—

it is just as well for the House to recollect that the stake is not mean—that what is at issue is of some price. You must remember, not to use the word profanely, that we are dealing really with a peculiar people. There is no country at the present moment that exists under the circumstances and under the same conditions as the people of this realm. You have, for example, an ancient, powerful, richly-endowed Church and perfect religious liberty. You have unbroken order and complete freedom. You have landed estates as large as the Romans, combined with commercial enterprize such as Carthage and Venice united never equalled. And you must remember that this peculiar country, with these strong contrasts, is not governed by force; it is not governed by standing armies; it is governed by a most singular series of traditionary influences, which generation after generation cherishes and preserves because they know that they embalm customs and represent law. And, with this, what have you done? You have created the greatest Empire of modern time. You have amassed a capital of fabulous amount. You have devised and sustained a system of credit still more marvellous. And, above all, you have established and maintained a scheme so vast and complicated, of labour and industry, that the history of the world offers no parallel to it. And all these mighty creations are out of all proportion to the essential and indigenous elements and resources of the country. If you destroy that state of society, remember this — England cannot begin again. There are countries which have been in great danger and gone through great suffering; the United States, for example, whose fortunes are now so perilous, and who in our own immediate day have had great trials; you have had—perhaps even now in the United States of America you have—a protracted and fratricidal civil war which has lasted for four years; but if it lasted for four years more, vast as would be the disaster and desolation, when ended the United States might begin again, because the United States then would only be in the same condition that England was at the end of the War of the Roses, when probably she had not even 3,000,000 of population, with vast tracts of virgin soil and mineral treasures, not only undeveloped but undreamt of. Then you have France. France had a real revolution in this century—a real revolution, not merely a political but a social revolution. The institutions of the country were uprooted, the orders of society abolished — even the landmarks and local names removed and erased. But France could begin again. France had the greatest spread of the most exuberant soil in Europe, and a climate not less genial; she had, and always had, comparatively, a limited population, living in a most simple manner. France, therefore, could begin again. But England—the England we know, the England we live in, the England of which we are proud — could not begin again. I do not mean to say that after great troubles England would become a howling wilderness, or doubt that the good sense of the people would, to some degree, prevail, and some fragments of the national character survive; but it would not be old England—the England of power and tradition, of credit and capital, that now exists. It is not in the nature of things; and, Sir, under these circumstances, I hope the House, when the question before us is one impeaching the character of our Constitution will hesitate—that it will sanction no step that has a tendency to democracy, but that they will maintain the ordered state of free England in which we live. I do not think that in this country generally there is a desire at this moment for any further change in this matter. I think the general opinion of the country on the subject of Parliamentary Reform is that our views are not sufficiently matured on either side. Certainly, so far as I can judge, I cannot refuse the conclusion that such is the condition of hon. Gentlemen opposite. We all know the paper circulated among us before Parliament met, on which the speech of its author, the hon. Member for Maidstone (Mr. Buxton), this evening is a comment. I quite sympathize with his "Liberal Dilemma;" it was one of the most interesting contributions to our elegiac literature I have heard for some time. But is it in this House only that we find these indications of the want of maturity in views upon this subject? Our tables are covered at this moment with propositions of eminent Members of the Liberal party—men eminent for character or talent, and for both—and what are these propositions? All devices to counteract the consequences of their own Liberal Reform Bill, to which they are opposed; therefore, it is quite clear, when we read these propositions and speculations, that the mind and intellect of the party have arrived at no conclusions on the subject. I would not speak of these projects with disrespect. I am prepared to give them grave consideration; but I ask whether these publications are not proofs that the active intelligence of the Liberal party is itself entirely at sea on the subject? I may say, there has been more consistency, more calmness of consideration on this subject on the part of Gentlemen on this side than on the part of those who seem to arrogate to themselves the monopoly of treating this subject. I can, at least, in answer to those who charge us with trifling with the subject, appealing to the recollection of every candid man, say that we treated it with sincerity—prepared our measure with care, and submitted it to the House, trusting to its candid consideration. We spared no pains in its preparation, and at this time I am bound to say, speaking for my Colleagues, in the main principles on which that Bill was founded—namely, the extension of the franchise not its degradation, will be found, we believe, the only solution that will ultimately be accepted by the country. Therefore, I cannot say that I look to this question, or that those with whom I act look to it, with any embarrassment. We feel we have done our duty; and it is not without gratification that I have listened to the candid admissions of many hon. Gentlemen who voted against it, that they feel the defeat of that measure by the Liberal party was a great mistake. So far as we are concerned, I repeat, we, as a party, can look to Parliamentary Reform not as an embarrassing subject; but that is no reason why we should agree to the measure of the hon. Member for Leeds. It would reflect no credit on the House of Commons. It is a mean device, and I think the House will best do its duty to the country if they reject the measure by a decided majority.

Previous Question put, "That that Question be now put."

The House *divided* :—Ayes 214 ; Noes 288 : Majority 74.

AYES.

Acland, T. D.
Acton, Sir J. D.
Adair, H. E.
Adam, W. P.
Agar-Ellis, hn. L. G. F.
Andover, Viscount
Angerstein, W.
Anstruther, Sir R.
Antrobus, E.
Ayrton, A. S.
Bagwell, J.
Baring, T. G.
Barnes, T.
Baxter, W. E.
Beale, S.
Beamish, F. B.
Berkeley, hon. Col. F. W F.
Berkeley, hon. C. P. F.
Biddulph, Colonel M.
Blake, J. A.
Blencowe, J. G.
Bouverie, rt. hon. E. P.
Bouverie, hon. P. P.
Bowyer, Sir G.
Brand, hon. H.
Bruce, rt. hon. H. A.
Buller, Sir A. W.
Bury, Viscount
Butler, C. S.
Buxton, C.
Caird, J.
Calthorpe, hon. F. H W. G.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clifford, C. C.
Clifford, Colonel
Clifton, Sir R. J.
Clive, G.
Cobbett, J. M.
Collier, Sir R. P.
Colthurst, Sir G. C.
Cowper, rt. hon. W. F.
Cox, W.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Dillwyn, L. L.
Dodson, J. G.
Douglas, Sir C.
Doulton, F.
Duff, M. E. G.
Duke, Sir J.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunlop, A. M.
Ellice, E.
Enfield, Viscount
Ewart, W.
Ewart, J. C.
Ewing, H. E. Crum-
Fenwick, E. M.
Fenwick, H.
Fitzroy, Lord F. J.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Fortescue, hon. F. D.
Fortescue, rt. hon. C.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hon. W.
Glyn, G. G.
Goldsmid, Sir F. H.
Goschen, G. J.
Gower, hon. F. L.
Gower, G. W. G. L.
Greene, J.
Greenwood, J.
Grenfell, H. R.
Grey, rt. hon. Sir G.
Gurney, S.
Hadfield, G.
Hanbury, R.
Handley, J.
Hankey, T.
Hanmer, Sir J.
Hartington, Marquess of
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Hibbert, J. T.
Hodgkinson, G.
Holland, E.
Howard, hon. C. W. G.
Ingham, R.
Jackson, W.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Layard, A. H.
Langton, W. H. G.
Lawson, W.
Leatham, E. A.
Lefevre, G. J. S.
Lee, W.
Lewis, H.
Locke, J.
Lysley, W. J.
M‘Mahon, P.
Maguire, J. F.
Marjoribanks, D. C.
Martin, P. W.
Martin, J.
Merry, J.
Miller, W.
Mitchell, T. A.
Moffatt, G.
Moncreiff, rt. hon. J.
Monsell, rt. hon. W.
Morris, W.
Morrison, W.
Neate, C.
North, F.
O'Donoghue, The
Ogilvy, Sir J.
Onslow, G.
Osborne, R. B.
Owen, Sir H. O.
Padmore, R.
Paget, C.
Paget, Lord C.
Pease, H.
Peel, rt. hon. F.
Peto, Sir S. M.
Pilkington, J.
Pinney, Colonel
Pollard-Urquhart, W.
Ponsonby, hon. A.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Powell, J. J.
Price, R. G.
Pryse, E. L.
Redmond, J. E.
Robartes, T. J. A.
Robertson, D.
Roebuck, J. A.
Rothschild, Baron M. de

Russell, A.
Russell, Sir W.
St. Aubyn, J.
Salomons, Mr. Ald.
Schneider, H. W.
Scholefield, W.
Scott, Sir W.
Scrope, G. P.
Seely, C.
Seymour, W. D.
Shelley, Sir J. V.
Sheridan, R. B.
Sheridan, H. B.
Smith, J. A.
Smith, J. B.
Smith, M. T.
Stacpoole, W.
Staniland, M.
Stanley, hon. W. O.
Stansfeld, J.
Steel, J.
Stuart, Colonel C.
Sykes, Colonel W. H.
Talbot, C. R. M.
Taylor, P. A.
Thompson, H. S.
Tite, W.
Tollemache, hon. F. J.
Tracy, hon. C. R. D. H.
Turner, J. A.
Tynte, Colonel K.
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, H. H.
Vyner, R. A.
Waldegrave-Leslie, hon.
Warner, E.
Watkin, E. W.
Weguelin, T. M.
Western, S.
Westhead, J. P. Brown-
Whalley, G. H.
Whitbread, S.
White, J.
Wickham, H. W.
Williamson, Sir H.
Wood, rt. hon. Sir C.
Wyld, J.
Wyvill, M.
Young, G.

TELLERS.

Baines, E.
Bazley, T.

NOES.

Adderley, rt. hon. C. B.
Adeane, H. J.
Annesley, hon. Col. H.
Anson, hon. Major
Archdall, Captain M.
Astell, J. H.
Baring, hon. A.
Baring, H. B.
Baring, T.
Barttelot, Colonel
Bathurst, A. A.
Bathurst, Colonel H.
Beach, Sir M.
Beach, W. W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. W. P.
Bentinck, G. C.
Benyon, R.
Beresford, rt. hon. W.
Beresford, D. W. Pack-
Bernard, T. T.
Blackburn, P.
Bond, J. W. M'G.
Bonham-Carter, J.
Booth, Sir R. G.
Bourne, Colonel
Bovill, W.
Boyle, hon. G. F.
Bramley-Moore, J.
Bremridge, R.
Bridges, Sir B. W.
Brooks, R.
Bromley, W. D.
Browne, Lord J. T.
Bruce, Major C.
Bruce, Sir H. H.
Bruen, H.
Bulkeley, Sir R.
Burghley, Lord
Burrell, Sir P.
Butler-Johnstone, H. A.
Cairns, Sir H. M'C.
Cargill, W. W.
Cartwright, Colonel
Cave, S.
Cecil, Lord R.
Chapman, J.
Cholmeley, Sir M. J.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Coke, hon. Colonel
Cole, hon. H.
Cole, hon. J. L.
Collins, T.
Corry, rt. hon. H. L.
Courtenay, Lord
Curzon, Viscount
Dalkeith, Earl of
Damer, S. D.
Dawson, R. P.
Dick, F.
Dickson, Colonel
Disraeli, rt. hon. B.
Du Cane, C.
Duff, R. W.
Duncombe, hon. A.
Duncombe, hon. W. E.
Dunkellin, Lord
Dunne, Colonel
Du Pre, C. G.
Dutton, hon. R. H.
Edwards, Colonel
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Elphinstone, Sir J. D.
Fane, Colonel J. W.
Farquhar, Sir M.
Farrer, J.
Fellowes, E.
Fergusson, Sir J.
Ferrand, W.
Filmer, Sir E.
Finlay, A. S.
Fitzwilliam, hn. C.W.W.
Fleming, T. W.
Floyer, J.
Foley, H. W.
Forde, Colonel
Forester, rt. hon. Gen.
Foster, W. O.
Franklyn, G. W.
Fraser, Sir W. A.
Gallwey, Sir W. P.
Galway, Viscount
Gard, R. S.
Gaskell, J. M.
George, J.
Getty, S. G.
Gilpin, Colonel
Gore, W. R. O.
Graham, Lord W.
Greaves, E.
Greenall, G.
Gregory, W. H.
Grenfell, C. P.
Gray, Lt.-Colonel
Grey de Wilton, Visct.
Griffith, C. D.
Grosvenor, Earl
Grosvenor, Lord R.
Gurdon, B.
Hamilton, Lord C.
Hamilton, Major
Hamilton, Viscount
Hardy, G.
Hardy, J.
Hartopp, E. B.
Harvey, R. B.
Hervey, Lord A.
Hervey, Lord A. H. C.
Hassard, M.
Hay, Sir J. C. D.
Heathcote, hon. G. H.
Hennessy, J. P.
Herbert, hon. P. E.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Heygate, W. U.
Hill, hon. R. C.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hopwood, J. T.
Hornby, W. H.
Horsfall, T. B.
Horsman, rt. hon. E.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Humphery, W. H.
Hunt, G. W.
Ingestre, Viscount
Jervis, Captain
Jolliffe, rt. hn. Sir W. G. H.
Jolliffe, H. H.
Jones, D.
Kekewich, S. T.
Kelly, Sir F.
Kendall, N.
Kerrison, Sir E. C.
King, J. K.
Knatchbull, W. F.
Knight, F. W.
Knightley, Sir R.
Knox, Colonel
Knox, hon. Major S.
Lacon, Sir E.
Laird, J.
Langton, W. G.
Leader, N. P.
Leeke, Sir H.
Lefroy, A.
Legh, Major C.
Legh, W. J.
Leighton, Sir B.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, W.
Lever, J. O.
Liddell, hon. H. G.
Long, R. P.
Lopes, Sir M.
Lowe, rt. hon. R.
Lowther, Captain
Lyall, G.
Lygon, hon. F.
Macaulay, K.
M'Cormick, W.
Mackie, J.
Mainwaring, T.
Malins, R.
Manners, rt. hon. Lord J.
Manners, Lord G. J.
Marsh, M. H.
Matheson, Sir J.
Miles, Sir W.
Miller, T. J.
Mills, A.
Mitford, W. T.
Montagu, Lord R.
Montgomery, Sir G.
Moor, H.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Morritt, W. J. S.
Mowbray, rt. hon. J. R.
Mundy, W.
Murray, W.
Naas, Lord
Newdegate, C. N.
Nicol, W.
Noel, hon. G. J.
North, Colonel
Northcote, Sir S. H.
O'Neill, E.
Packe, C. W.
Packe, Colonel
Pakington, rt. hn. Sir J.
Palk, Sir L.
Papillon, P. O.
Parker, Major W.
Patten, Colonel W.
Paull, H.
Peacocke, G. M. W.
Peel, rt. hon. General
Pennant, hon. Colonel
Percy, Earl
Pevensey, Viscount
Phillips, G. L.
Powell, F. S.
Powys-Lybbe, P. L.
Pugh, D.
Repton, G. W. J.
Ricardo, O.
Ridley, Sir M. W.
Rogers, J. J.
Rolt, J.
Rose, W. A.
Rowley, hon. R. T.

Salt, T.
Sclater-Booth, G.
Scott, Lord H.
Scourfield, J. H.
Selwyn, C. J.
Shirley, E. P.
Smith, A. (Herts)
Smith, A. (Truro)
Smith, S. G.
Smollett, P. B.
Somerset, Colonel
Somes, J.
Stanhope, J. B.
Stanley, Lord
Stracey, Sir H.
Stronge, Sir J. M.
Stewart, Sir M. R. S.
Stuart, Lt.-Colonel W.
Sturt, H. G.
Sturt, Lt.-Colonel N.
Surtees, H. E.
Taylor, Colonel
Tollemache, J.
Torrens, R.
Tottenham, Lt-Col. C. G.
Trefusis, hon. C. H. R.
Treherne, M.
Trevor, Lord A. E. Hill-
Trollope, rt. hon. Sir J.
Turner, C.
Vansittart, W.
Verner, Sir W.
Verner, E. W.
Vernon, H. F.
Vyse, Colonel Howard-
Walcott, Admiral
Walker, J. R.
Walpole, rt. hon. S. H.
Walsh, Sir J.
Walter, J.
Waterhouse, S.
Watlington, J. W. P.
Welby, W. E.
Whitmore, H.
Williams, Colonel
Williams, F. M.
Woodd, B. T.
Wrightson, W. B.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, C. W. W.
Wynne, W. W. E.
Yorke, hon. E. T.
Yorke, J. R.

TELLERS.
Elcho, Lord
Black, A.

WAYS AND MEANS.—REPORT.

Resolutions [May 5] *reported.*

SIR STAFFORD NORTHCOTE said, he believed this Resolution related to the renewal of £1,000,000 Exchequer Bonds. They had been lately doing a good deal in the way of reducing the National Debt, and he trusted that they were not going to renew these bonds again.

THE CHANCELLOR OF THE EXCHEQUER said, he could not give a positive answer, as everything would depend upon the money market and the state of the finances of the country.

Resolutions *agreed to.*

Bill *ordered* to be brought in by Mr. DODSON, Mr. CHANCELLOR of the EXCHEQUER, and Mr. PEEL.

CLERICAL SUBSCRIPTION

CONSIDERED IN COMMITTEE.

Clerical Subscription *considered* in Committee.

(In the Committee.)

SIR GEORGE GREY rose to move for leave to bring in a Bill to amend the law as to subscriptions and declarations made by the clergy of the Established Church. The right hon. Baronet was about to state the main objects of the Bill, when an hon. Member moved that the House be counted.

Notice taken that 40 Members were not present; Committee counted, and 40 Members not being present:

Mr. Speaker resumed the Chair:—House counted, and 40 Members not being present:

House adjourned at
One o'clock.

[INDEX.

INDEX

TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CLXXVIII.

SECOND VOLUME OF THE SESSION 1865.

Explanation of the Abbreviations.

In Bills, Read 1^{o}, 2^{o}, 3^{o}, or 1^{a}, 2^{a}, 3^{a}, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

☞ When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

ABYSSINIA, Imprisonment of British Subjects in
Question, Mr. Warner; Answer, Mr. Layard *April* 24, 957:—Question, Lord Chelmsford; Answer, Earl Russell *April* 27, 1075

Acts of Parliament, Obsolete
Question, Mr. Hadfield; Answer, The Attorney General *April* 25, 1002

ADAIR, Mr. H. E., *Ipswich*
Greenock Railway, Re-Comm. 1195

ADDERLEY, Right Hon. C. B., *Staffordshire, N.*
Army Estimates—Works, Buildings, &c. 119
Canada—Defences of, Papers moved for, 814
Education—Minute of Council, 1317, 1318
Mayne, Sir R., and the Barnet Magistrates, 719
Union Chargeability, 2R. 333

Admiralty, Board of
Observations, Sir Morton Peto; Reply, Lord Clarence Paget; long debate thereon *April* 3, 678

ADVOCATE, The Lord (Right Hon. J. Moncreiff), *Edinburgh*
Lanarkshire County Prison Board, 2R. 196
Writs Registration (Scotland), 2R. 1156, 1168, 1571

Affirmations (Scotland) Bill
(*Lord Chelmsford*)
l. Read 2^{a} after short debate *Mar* 21, 1 (No. 40)
Committee * *Mar* 23; Report * *Mar* 24 (No. 42)
Read 3^{a} * *Mar* 27
Royal Assent *April* 7 [28 *Vict.* c. 9]

AGAR-ELLIS, Hon. L. G. F., *Kilkenny Co.*
County Voters Registration (Ireland), 2R. 265

Agricultural Statistics
Question, Mr. Caird; Answer, Mr. Milner Gibson *Mar* 31, 560

AIRLIE, Earl of
Canada—Defences of, 1526

ANGERSTEIN, Mr. W., *Greenwich*
Army Estimates—Administration of the Army, 992
Navy Estimates—Wages to Artificers at Home, 946

ANSON, Hon. Major A. H. A., *Lichfield*
Army Estimates—Works, Buildings, &c. 116
Canada—Defences of, Papers moved for, 832

ANSTRUTHER, Sir R., *Fifeshire*
Scotland—Postal System of Fife, 370

ARGYLL, Duke of (Lord Privy Seal)
Courts of Justice Building, 2R. 1188 ; Comm. *cl.* 16, 1314
Courts of Justice Concentration (Site), 3R. *add. cl.* 1588

Army
c. *Depôt Battalions*, Explanation, The Marquess of Hartington *Mar* 24, 241
Drill Instructors of Volunteers, Question, Mr. J. R. Yorke ; Answer, The Marquess of Hartington *April* 3, 671
Foot Guards, The, Questions, Sir John Trelawny ; Answer, The Marquess of Hartington *Mar* 23, 86
Gardens, Cultivation of, by Soldiers, Question, Mr. W. Ewart ; Answer, The Marquess of Hartington *April* 3, 670
Libraries, &c., Address for Copy of Catalogue of Books, &c. (*Mr. Whalley*) *Mar* 21, 47; after debate, Question put, and negatived
Military Commissioners to the United States, Question, Mr. W. Ewart ; Answer, The Marquess of Hartington *Mar* 23, 83
Ordnance Experiments, Question, Mr. Peacocke ; Answer, The Marquess of Hartington *April* 3, 672
Ordnance Select Committee, Question, Mr. Hanbury Tracy ; Answer, The Marquess of Hartington *Mar* 28, 371
Recruiting in the, Question, Colonel North ; Answer, The Marquess of Hartington *Mar* 28, 372
Volunteer Officers—Service on Juries, Question, Mr. Algernon Egerton ; Answer, The Marquess of Hartington *April* 3, 671
Volunteer Sergeant Instructors, Allowances to Question, Sir Graham Montgomery ; Answer, The Marquess of Hartington *Mar* 23, 86
War Office, The, Question, Sir Stafford Northcote ; Answer, The Marquess of Hartington *Mar* 24, 202

Arrests for Debt Abolition (Ireland) Bill
(*Sir Colman O'Loghlen, Mr. Hennessy*)
c. Bill ordered ; read 1° * *May* 4 [Bill 126]

Atkinson, Matthew, Execution at Durham of
Question, Mr. Lawson ; Answer, Sir George Grey *Mar* 21, 7

ATTORNEY GENERAL, The (Sir Roundell Palmer), *Richmond*
Bankruptcy Act (1861), 958
China—English Subjects in, 782
Court of Chancery (Ireland), Comm. 500, 512, 532, 894
Courts of Justice Concentration (Site), Comm. 178, 179, 589
Episcopal Church in the Colonies, 276, 277
India—Azeem Jah (Signatures to Petitions), Report, Res. 1611
Inns of Court, 2R. 1049
Land Debentures (Ireland), Comm. 750 ; *cl.* 7, 751 ; Amendt. 752 ; *cl.* 11, 753 ; Amendt. 754, 757
Mortgage Debentures, Comm. 455
Obsolete Acts of Parliament, 1002
Partnership Amendment, 2R. 1290
Rupert's Land, 1601
Stonor, Mr.—Appointment of, 563, 567

AYRTON, Mr. A. S., *Tower Hamlets*
Army Estimates—Works, Buildings, &c. 249 ;—Military Education, 256 ;—Miscellaneous Services, 262, 263
Bank Notes Issue, Comm. Amendt. 1252, 1264 ; *cl.* 8, 1267
Borough Franchise Extension, 2R. 1445
Civil Service Estimates, Adj. moved, 741, 742
Colonial Governors (Retiring Pensions), Leave, 1517
Exeter, Diocese of, 933
Locomotives on Roads, Comm. *cl.* 1, 1060, 1070 ; *cl.* 4, 1067, 1068
Mayne, Sir R., and the Barnet Magistrates, 721
Metropolis Sewage and Essex Reclamation, Consid. Amendt. 881 ; *add. cl.* 1000
Metropolitan Houseless Poor, 2R. 538 ; Comm. *cl.* 1, Amendt. 765
Metropolitan Toll Bridges, 2R. 1057
Navy Estimates—Coast Guard Service, 728 ;—Scientific Departments, 731 ;—Wages to Artificers at Home, 947
Public House Closing Act Amendment, 2R. 868
Science and Art Collections, 1560
Thames and Isis Navigation, 232
Union of Benefices Act Amendment, Leave, 1021
Ways and Means, Comm. Res. Fire Insurance, 1509

AYTOUN, Mr. R. S., *Kirkcaldy, &c.*
Canadian Railways, 234

Azeem Jah (*Signatures to Petitions*)
c. On Motion of *Mr. Charles Forster*, Select Committee appointed *Mar* 23
And, on March 24, Committee nominated as follows :—Mr. Charles Forster, Mr. Bonham-Carter, Sir James Fergusson, Major Gavin, Mr. Lyall, Mr. Taverner John Miller, Sir Colman O'Loghlen, Mr. Hastings Russell, Mr. Alderman Salomons, Mr. Owen Stanley, Sir FitzRoy Kelly, Mr. Hennessy, and Mr. Cox
Report of Select Committee * *April* 28
(*Parl. P.* No. 231)

[*cont.*

Azeem Jah—cont.
Report considered *May* 8, 1604
Motion, "That George Morris Mitchell, having fabricated signatures to several Petitions presented to this House, and having knowingly procured other fabricated signatures to such Petitions, has been guilty of a breach of the privileges of this House" (*Mr. Charles Forster*)
After debate, Amendt. To leave out from "That," and add "the Report of the Committee be re-committed to the said Committee" (*Lord R. Cecil*)
Question proposed, "That the words &c.;" after further debate, Debate adjourned (*Parl. P.* No. 317)

Bagwell, Mr. J., *Clonmel*
Bankruptcy and Insolvency (Ireland) Act Amendment, Lords Amendts. 786
Constabulary Force (Ireland) Act Amendment, 2R. 1512, 1514
County Voters Registration (Ireland), 2R. Amendt. 266
Sheep, &c. Protection (Ireland), 2R. 461, 464

Baillie, Mr. H. J., *Invernesshire*
Navy—The "Achilles," 1081

Baines, Mr. E., *Leeds*
Borough Franchise Extension, 2R. 1372, 1394, 1396, 1448, 1450, 1470, 1675, 1676
Consular Reports, 8
Customs, Out Door Officers of, Comm. moved for, 1209

Bank Notes (Ireland) Bill
(*Sir Colman O'Loghlen, Colonel French*)
c. Acts read; considered in Committee; Bill ordered; read 1° *May* 2, 1371 [Bill 124]

Bank Notes Issue Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Peel*)
c. Order for Committee read; Motion, "That Mr. Speaker do now leave the Chair" (*Mr. Chancellor of the Exchequer*) *May* 1, 1247
Amendt. to leave out from "That," and add "this House will, upon this day month, resolve itself into the said Committee" (*Mr. Ayrton*)
Question, "That the words, &c.;" after debate, Amendt. withdrawn
Main Question agreed to; Bill considered in Committee; and, after long debate, reported
Considered * *May* 5 [Bill 123]

Bank of Ireland Bill
l. Read 1ª * *Mar* 2 (*The Lord Steward*)
Read 2ª * *April* 4 (No. 19)
Committee negatived
Read 3ª * *April* 6
Royal Assent *April* 7 [28 *Vict.* c. 16]

Bankruptcy Act, 1861
c. Report of Select Committee * *Mar* 21 (*Parl. P.* No. 144)
Question, Mr. Murray; Answer, The Attorney General *April* 24, 958

Bankruptcy and Insolvency (Ireland) Act Amendment Bill
(*The Lord Steward*)
l. Report of Select Committee * *Mar* 23 (Nos. 43 & 44)
Committee * *Mar* 24
Amendments reported *Mar* 27, 273
An Amendt. moved (*The Earl of Longford*); on Question? Cont. 18, Not-Cont. 21; M. 3; List of the Cont. and Not.-Cont., 274
Read 3ª * *Mar* 28
c. Lords Amendment considered, and one disagreed to *April* 6, 785 [Bill 102]
l. Commons' Reasons for disagreeing to Amendment considered *May* 2 (No. 65)
Moved, Not to insist, &c. (*The Lord Steward*) 1305; after short debate, on Question? Cont. 33, Not-Cont. 43; M. 10; resolved in the negative; the rest of the Commons' Amendments agreed to; Protest against not insisting, 1308
Royal Assent *May* 9 [28 *Vict.* c. 21]

Baring, Mr. T., *Huntingdon*
National Gallery—Mr. Frith's "Derby Day," 1238
Partnership Amendment, 2R. 1294

Baring, Mr. T. G. (Under Secretary for the Home Department), *Penryn & Falmouth*
Fires in London, 7
Inclosure, 2R. 540
Local Government Supplemental, Comm. 1034, 1035
Newington Green and Hornsey Road, 1239
Police Superannuation, Comm. *cl.* 5, Amendt. 1071; *add. cl.* 1072, 1073
Salmon Fishery Act (1861) Amendment, Leave, 1024, 1026
Salmon Fishery Acts, 889
Turnpike Trusts, 1469

Barrow, Mr. W. H., *Nottinghamshire, S.*
Financial Statement—Ways and Means, Comm. Res. 1144

Barttelot, Colonel W. B., *Sussex, W.*
Ways and Means, Comm. Res. Tea, 1495

Bass, Mr. M. T., *Derby*
Financial Statement—Ways and Means, Comm. Res. 1153

Bateson, Sir T., *Devizes*
Ireland—County Down Assizes—Chief Justice Monahan, 196, 197
Sheep, &c. Protection (Ireland), 2R. 467

Bath, Marquess of
Private Bill Costs, Report, *add. cl.* 483

Baxter, Mr. W. E., *Montrose, &c.*
Partnership Amendment, 2R. 1288

Bazley, Mr. T., *Manchester*
Borough Franchise Extension, 2R. 1389
Collection of Taxes, 669

Beecroft, Mr. G. S., *Leeds*
Chemists and Druggists (No. 1), 2R. 479

Belmore, Earl of
Juries (Ireland), 2R. 1597
Record of Title (Ireland), 2R. 1457

Bentinck, Mr. G. Cavendish, *Taunton*
Ionian Islands—Pensions to Officers, 214

Bentinck, Mr. G. W. P., *Norfolk, W.*
Army Estimates — Works, Buildings, &c. Amendt. 104, 175
Borough Franchise, 2R. 1470
Chelsea Bridge Toll Abolition, 2R. Amendt. 1302
Civil Service Estimates, 735, 737, 738
Financial Statement—Ways and Means, Comm. Res. 1133
Locomotives on Roads, Comm. *cl.* 2, 1063; *cl.* 4, 1068
Mortality among Children in Norfolk, 958
Navy—Board of Admiralty, 685
Supply, Report, Res. 9, Adj. moved, 359, 360, 361, 1036
Union Chargeability, 2R. 306
Ways and Means, Comm. Res. Tea, 1494

Berkeley, Hon. C. P. F., *Gloucester*
Navy Estimates—Coast Guard Service, 728; —Wages to Artificers at Home, 953

Berkeley, Hon. F. H. F., *Bristol*
Customs, Out Door Officers of, Comm. moved for, 1209

Bernard, Mr. T. T. *Aylesbury*
Union Chargeability, 2R. 326

Black, Mr. A., *Edinburgh*
Bank Notes Issue, Comm. 1259
Borough Franchise Extension, 2R. 1409

Blackburn, Mr. P., *Stirlingshire*
Lanarkshire County Prison Board, 2R. 196

Blake, Mr. J. A., *Waterford City*
Railway Travelling (Ireland), 2R. Amendt. 55
Tories, Robbers, and Rapparees (Ireland), Comm. 1523

Bonham-Carter, Mr. J., *Winchester*
Inclosure, 2R. 541

Borough Franchise Extension Bill
(*Mr. Baines, Mr. Bazley, Mr. Scholefield, Mr. W. E. Forster*)
c. Motion, "That the Bill be now read 2°" (*Mr. Baines*) *May* 3, 1372 [Bill 32]

[*cont.*

Borough Franchise Extension Bill—cont.
Previous Question proposed, "That that Question be now put" (*Lord Elcho*), 1392
After long debate, Debate adjourned
Debate further adjourned *May* 4
Debate resumed *May* 8, 1613
After long debate, Previous Question put, "That that Question be now put," A. 214, N. 288; M. 74; Division List, Ayes and Noes, 1705

Borough Franchise Extension Bill
Observations, Sir George Grey; Answer, Mr. Baines *May* 2, 1469

Bouverie, Rt. Hon. E. P., *Kilmarnock, &c.*
Borough Franchise Extension, 2R. 1449
Greenock Railway, Re-Comm. 1193
Union of Benefices Act Amendment, Leave, 1013, 1017

Bovill, Mr. W., *Guildford*
Courts of Justice Concentration (Site), Comm. 180
Greenock Railway, Re-Comm. 1199
Partnership Amendment, 2R. 1291, 1293

Bowyer, Sir G., *Dundalk*
Bankruptcy and Insolvency (Ireland) Act Amendment, Lords Amendts. 787
Court of Chancery (Ireland), Comm. 530
Courts of Justice Concentration (Site), Comm. 178, 180
India Office (Site, &c.), Comm. *cl.* 2, 861, 863
Inns of Court, 2R. 1040, 1048, 1053
Science and Art Collections, 1554
Union of Benefices Act Amendment, Leave, 1014
Wimbledon Common, 2R. 781

Brady, Mr. J., *Leitrim Co.*
Army Estimates—Military Education, 261;—Miscellaneous Services, 263
Chemists and Druggists (No. 1), 2R. 475
Inclosure, 2R. 541
Infant Mortality at Emneth, 562
Landlord and Tenant (Ireland), Law of, Comm. moved for, 602
Metropolis Sewage and Essex Reclamation, Consid. 887

Bright, Mr. J., *Birmingham*
Army Estimates—Works, Buildings, &c. 164
Cobden, Mr., The late, 677
Qualification for Offices Abolition, 3R. 183

Briscoe, Mr. J. I., *Surrey, W.*
Bank Notes Issue, Comm. *cl.* 8, 1266
Inclosure, Comm. 628
Ways and Means, Comm. Res. Tea, 1484

Bristol and North Somerset Railway (Southern Extension) Bill
c. Motion, "That the Bill be now read 2°" (*Mr. Gore Langton*) *April* 7, 887

[*cont.*

Bristol and North Somerset Railway, &c—cont.
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Greaves*); Question, "That 'now,' &c." put, and negatived; Main Question, as amended, agreed to; Bill put off for six months

British North America
British North American Colonies, Question, Lord Robert Cecil; Answer, Mr. Cardwell *Mar* 23, 83
l. *Canada—Defences of*, Question, The Earl of Airlie; Answer, Earl De Grey and Ripon *May* 5, 1526
c. Amendt. on Committee of Supply *April* 6, To leave out from "That" and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, Copy of Papers and Extracts of Correspondence relative to the proposed Canadian Defences and the share of the total cost which is to be respectively borne by Canada and the United Kingdom" (*Lord Elcho*), 793; after long debate, Question, "That the words, &c.," put, and agreed to; Question, Lord Elcho; Answer, Mr. Cardwell *April* 7, 892
Defences of Quebec, Observations, Lord Elcho *Mar* 24, 242
Railways, Question, Mr. Aytoun; Answer, Mr. Cardwell *Mar* 24, 234

Bromley, Mr. W. D., *Warwickshire, N.*
Metropolitan Houseless Poor, 2R. 533; Comm. *add. cl.* Amendt. 758, 764

Browne, Lord J. T., *Mayo Co.*
Constabulary Force (Ireland) Act Amendment, 2R. 1514
Railway Travelling (Ireland), 2R. 62
Union Officers (Ireland) Superannuation, Comm. *cl.* 1, Amendt. 266

Bruce, Right Hon. H. A. (Vice President of the Committee of Council for Education), *Merthyr Tydvil*
Charitable Trusts Fees, 2R. 1032
Education — School Grants, 1465; — Endowments for, Minute of Council, 1535, 1536, 1537

Buckley, Lieut.-Gen. E. P. *Salisbury*
India—The Sixty-fourth Foot, 1240

Bury, Viscount (Treasurer of the Household), *Wick, &c.*
Army Estimates—Works, Buildings, &c. 124
Wimbledon Common, 2R. 769

Business, Public
Question, Lord J. Manners; Answer, The Chancellor of the Exchequer *April* 28, 1204

Buxton, Mr. C., *Maidstone*
Borough Franchise Extension, 2R. 1660
Canada—Defences of, Papers moved for, 804

Caird, Mr. J., *Stirling, &c.*
Agricultural Statistics, 560
Export Duties (India), 1600

Cairns, Sir H. M., *Belfast*
Constabulary Force (Ireland) Act Amendment, Leave, 1170
Court of Chancery (Ireland), Comm. 528
Courts of Justice Concentration (Site), Comm. 493
Landlord and Tenant (Ireland), Law of, Comm. moved for, 626
Railway Travelling (Ireland), 2R. 60
Small Benefices (Ireland) Act Amendment, 2R. 50

Campbell, Lord
Public Schools, 2R. 667

Canterbury, Archbishop of
Public Schools, 2R. 657, 749

Cardwell, Right Hon. E. (Secretary of State for the Colonies), *Oxford City*
Army Estimates—Works, Buildings, &c. 160
Bank Notes Issue, Comm. *cl.* 8, 1269
British North American Colonies, 83
Canada — Railways in, 235; — Defences of, Papers moved for, 818, 845, 892
Civil Service Estimates, 852
Colonial Bishops, 783
Colonial Governors (Retiring Pensions), 959; Leave, 1514, 1517, 1519
Episcopal Church in the Colonies, 276
New Zealand—Renewal of hostilities in, 785, 893
Supply, Report, Res. 9, 360, 362;—Civil Service Estimates, 852

Carnegie, Hon. C., *Forfarshire*
Writs Registration (Scotland), 2R. Adj. moved, 1168, 1571

Cartoons at Hampton Court Palace — Petition
Observation, Lord St. Leonards *Mar* 31, 556

Casey, Alexander—Property of the Late
Question, Colonel Vandeleur; Answer, Sir Robert Peel *Mar* 28, 370

Cave, Mr. S., *New Shoreham*
Bank Notes Issue, Comm. 1256
Customs, Out Door Officers of, Comm. moved for, 1210
Industrial Schools, Suspension of Standing Order, 487
Oyster Fishery, 672
Partnership Amendment, 2R. 1286
Post Horse Duty, Exemption from, 894
Ways and Means, Comm. Res. Tea, 1475

Cecil, Lord R. T. G., *Stamford*
Borough Franchise Extension, 2R. Adj. moved, 1448, 1449
British North American Colonies, 83

[*cont.*

Cecil, Lord R. T. G.—*cont.*
Civil Service Estimates, 734, 736, 739, 741, 742, 851
India—Azeem Jah (Signatures to Petitions), Report, Res. Amendt. 1611
India Office (Site, &c.), Comm. *cl.* 2, 862
Metropolitan Houseless Poor, Consid. 859

Chancellor, The Lord (Lord Westbury)
Affirmations (Scotland), 2R. 2
Courts of Justice Building, 2R. 1171; Comm. 1310; 3R. *cl.* 16, 1579, 1580, 1582
Courts of Justice Concentration (Site), 3R. *cl.* 14, 1584; *add. cl.* 1585, 1586, 1588
Destruction of Metropolitan Buildings by Railways, 555
Dockrall, Mr. Case of, Papers moved for, 193, 1532, 1533
Johnson, Colonel, Case of, 193, 1532, 1533
Juries (Ireland), 2R. 1597
Private Bill Costs, 2R. 76; Res. *add. cl.* 484; 3R. Proviso, 768
Record of Title (Ireland), 2R. 1453
Saffron Hill Murder—Case of Pelizzioni, 486
Standing Order No. 191 — Displacement of London Poor, Amendt. 873, 874, 877

Chancellor of the Exchequer (Right Hon. W. E. Gladstone), *Oxford University*
Army Estimates — Chelsea and Kilmainham Hospitals, 857; — Administration of the Army, 985
Bank Notes Issue, Comm. 1247; *cl.* 8, Amendt. 1265, 1267, 1268; *add. cl.* 1270, 1272, 1273
Borough Franchise Extension, 2R. 1450
Business, Public, 1204
Church Establishment (Ireland), Res. 420, 444
Civil Service Estimates, 736, 737, 740
Collection of Taxes, 669
Customs, Out Door Officers of, Comm. moved for, 1212
Financial Statement—Ways and Means, Comm. Res. 1084, 1142
Fire Insurance, Res. 37, 1467
Income Tax Papers, 670
India Office (Site, &c.), Comm. *cl.* 2, 862
Ionian Islands—Pensions to Officers, 204, 209, 211, 212, 374, 375, 377, 378
Ireland—Railway System, Address moved, 917
Navy—Dockyard Accommodation, 1603
Science and Art Collections, 1556, 1562, 1565
Ways and Means—Financial Statement, Comm. Res. 1084, 1142;—Tea, 1240, 1242, 1466, 1483, 1489, 1492, 1493; Amendt. 1500;—Income, 1501;—Fire Insurance, 1505, 1506, 1509, 1512; Report, Exchequer Bonds, 1710

Charitable Trusts Fees Bill
(*Mr. Hankey, Mr. Shaw Lefevre*)
c. Motion, "That the Bill be now read 2°" (*Mr. Thomson Hankey*) *April* 25, 1027 [Bill 65]
Amendt. to leave out "now," and add "upon this day six months" (*Sir M. Peto*); Question proposed, "That 'now' &c.;" after short debate, Question put, and negatived; Main Question, as amended, agreed to; Bill put off for six months

Chelmsford, Lord
Abyssinia—British Subjects in, 1075
Affirmations (Scotland), 2R. 1
Bankruptcy and Insolvency (Ireland) Act Amendment, Report, 274
Courts of Justice Building, Comm. *cl.* 4, 1313; 3R. *cl.* 16, 1582
Johnson, Colonel, Case of, 1533
Juries (Ireland), 2R. 1597
Standing Order No. 191—Displacement of London Poor, 875

Chelsea Bridge Toll Abolition Bill
(*Sir J. Shelley, Mr. Locke King, Mr. Locke*)
c. Motion, "That the Bill be now read 2°" (*Sir J. Shelley*) *May* 1, 1301 [Bill 74]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Bentinck*)
Question proposed, "That 'now' &c.;" after short debate, Question put, A. 27, N. 14; M. 13
Main Question agreed to; Bill read 2°, and committed to the Select Committee on the Metropolitan Toll Bridges Bill

Chemists and Druggists Bill
(*Sir F. Kelly, Mr. Kinglake, Sir S. Northcote*)
c. Motion, "That the Bill be now read 2°" (*Sir FitzRoy Kelly*) *Mar* 29, 470 [Bill 78]
After debate, Bill read 2°, and committed to a Select Committee, 479

Chemists and Druggists (No. 2) Bill
(*Sir John Shelley, Mr. C. Forster, Mr. Ayrton*)
c. Acts considered in Committee *Mar* 21, 46
Bill ordered; read 1° *Mar* 21 [Bill 84]
Read 2°* *Mar* 29, and referred to the same Select Committee
And, on April 6, Select Committee nominated as follows:—Sir FitzRoy Kelly, Sir John Shelley, Lord Elcho, Mr. Baring, Mr. Brady, Mr. Hastings Russell, Mr. Charles Wynn, Mr. Ayrton, Mr. Sclater-Booth, Mr. Cox, Mr. Schneider, Sir James Fergusson, Mr. Charles Forster, Mr. Roebuck, and Mr. Black

Childers, Mr. H. C. E. (Lord of the Admiralty), *Pontefract*
Greenwich Hospital, Leave, 1002, 1013
Navy — Chaplains' Quarterly Report, 488;—Board of Admiralty, 712
Navy Estimates—Coast Guard Service, 728;—Wages of Artificers at Home, 949, 952;—Wages for Artificers Abroad, 954;—Miscellaneous Services, 955; — Naval Stores, 995
Supply, Report, 1039

China
c. Consular Courts in, Question, Mr. Kinnaird; Answer, Mr. Layard *Mar* 23, 81
English Subjects in, Question, Colonel Sykes; Answer, The Attorney General *April* 6, 782
Indian Allowances in, Question, Mr. Waldegrave-Leslie; Answer, The Marquess of Hartington *Mar* 23, 81
Piracy in, Question, Colonel Sykes; Answer, Mr. Layard *April* 7, 888
Proceedings in, Question, Colonel Sykes; Answer, Mr. Layard *May* 1, 1239

Church Establishment (Ireland)
Motion, "That, in the opinion of this House, the present position of the Irish Church Establishment is unsatisfactory, and calls for the early attention of Her Majesty's Government" (*Mr. Dillwyn*) *Mar* 28, 384; after long debate, Motion, "That the debate be now adjourned" (*Mr. Goschen*); A. 221, N. 106; M. 115; Debate adjourned till Tuesday 2nd May
Question, Mr. Walpole; Answer, Mr. Dillwyn *April* 28, 1204

CHURCHILL, Lord A. S., *Woodstock*
Mutiny, Comm. *cl.* 22, 367

Civil Service Estimates
c. Amendt. on Committee of Supply *April* 3, To leave out from "That" and add "the Civil Service Estimates be referred to a Select Committee for examination, and to report thereon, in respect of each Class separately, such matters as may appear to them specially to deserve the attention of the House" (*Mr. Augustus Smith*), 717
Question proposed, "That the words, &c.;" Amendt. withdrawn

CLANRICARDE, Marquess of
Bankruptcy and Insolvency (Ireland) Act Amendment, Report, 274; Commons Amendts. 1306
Ireland—Curragh of Kildare, 869
Record of Title (Ireland), 2R. 1457

CLARENDON, Earl of (Chancellor of the Duchy of Lancaster)
Public Schools, 2R. 632, 655, 667, 668, 746; Select Comm. 1304, 1305; Nomination of Comm. 1458

CLAY, Mr. J., *Kingston-upon-Hull*
Customs, Out Door Officers of, Comm. moved for, 1210
Greenock Railway, Re-Comm. 1198

Clerical Subscription
c. Clerical Subscription considered in Committee *May* 8, 1710 [House counted out]

CLEVELAND, Duke of
Private Bill Costs, 3R. *add. cl.* 767, 768

CLIFTON, Sir R. J., *Nottingham*
Fire Insurance, Res. 43
Union Chargeability, 2R. 343

Cobden, Mr. The Late
Observations, Viscount Palmerston, Mr. Disraeli, Mr. Bright *April* 3, 673

COCHRANE, Mr. A. D. Baillie, *Honiton*
Colonial Governors, Pensions to, 959
Greenock Railway, Re-Comm. 1196
Ionian Islands—Pensions to Officers, 202, 211, 212; Explanation, 372, 373, 374, 375
Lanarkshire County Prison Board, 2R. 195

COGAN, Mr. W. H. F., *Kildare Co.*
Church Establishment (Ireland), Res. 454
Ireland—County Down Assizes—Chief Justice Monahan, 197, 198

COLE, Hon. H. A., *Fermanagh Co.*
India—Pegu Prize Money, 783

COLEBROOKE, Sir T. E., *Lanarkshire*
Greenock Railway, Re-Comm. 1195
Lanarkshire County Prison Board, 2R. Amendt. 194

COLLIER, Sir R. P., *see* SOLICITOR GENERAL The

COLLINS, Mr. T., *Knaresborough*
Union of Benefices Act Amendment, Leave, 1019

Colonial Bishops
Question, Mr. Henry Seymour; Answer, Mr. Cardwell *April* 6, 783

Colonial Ex-Governors, Pensions to
Question, Mr. Baillie Cochrane; Answer, Mr. Cardwell *April* 24, 959

Colonial Governors (Retiring Pensions) Bill
(*Mr. Dodson, Mr. Cardwell, Mr. C. Fortescue*)
c. Considered in Committee *May* 4
Resolution (*Mr. Cardwell*) agreed to, 1519
Resolution [May 4] reported; Bill ordered *May* 5

Colonial Naval Defence Bill
(*The Duke of Somerset*)
l. Read 2ª after debate *Mar* 27, 272 (No. 39)
Committee*; Report *Mar* 28
Read 3ª and passed *Mar* 30, 484
Royal Assent *April* 7 [28 *Vict.* c. 14]

Colonies, Episcopal Church in the
Question, Mr. Dunlop; Answers, Mr. Cardwell, The Attorney General *Mar* 27, 275

Commissionaires, Band of the
Question, Major Stuart Knox; Answer, Mr. Cowper *May* 2, 1316

Commissioners of Supply Meetings (Scotland) Bill
(*Mr. Finlay, Sir G. Montgomery, Sir W. Scott*)
c. Bill ordered; read 1° *April* 3, 743 [Bill 102]
Read 2°* *April* 6

Commissioners of Supply (Scotland) Bill
(*Mr. Dunlop, Mr. Finlay, Mr. Ayrton*)
c. Bill ordered; read 1°* *April* 5 [Bill 104]

Common Law Courts Fees Bill
l. Read 2ª* *May* 1 (*The Lord Chancellor*)
Committee*; Report *May* 4 (No. 25)
Read 3ª* *May* 5
Royal Assent *June* 19 [28 *Vict.* c. 45]

Commons and Open Spaces (Metropolis)
c. Report of Select Committee *April* 3 (*Parl. P.* No. 178)

Consolidated Fund (£175,650) Bill
l. Read 1ª* *Mar* 21; 2ª* *Mar* 23
Committee negatived
Read 3ª* *Mar* 24
Royal Assent *Mar* 27 [28 *Vict.* c. 4]

Consolidated Fund (£15,000,000) Bill
c. Read 1°* *Mar* 24; 2°* *Mar* 27
Committee*; Report *Mar* 28
Read 3°* *Mar* 29
l. Read 1ª* *Mar* 30; 2ª* *Mar* 31
Committee negatived
Read 3ª* *April* 3
Royal Assent *April* 7 [28 *Vict.* c. 10]

Constabulary Force (Ireland) Act Amendment Bill (*Sir R. Peel, Sir G. Grey*)
c. Bill ordered, after debate; read 1° *April* 27, 1163 [Bill 122]
Read 2° after short debate *May* 4, 1512

Consular Reports
Question, Mr. Baines; Answer, Mr. Layard *Mar* 21, 8

Controverted Elections
Report from the General Committee of Elections; Francis Charles Hastings Russell, esq. added in the room of James Wentworth Buller, esq. deceased

County Courts Equitable Jurisdiction Bill (*The Lord Chancellor*)
l. Report of Select Committee* *May* 4 (No. 81)
Bill reported* *May* 4 (No. 82)
Committee* *May* 8 (No. 94)

County Voters Registration Bill
(*Mr. Hunt, Mr. Walter, Mr. Howes*)
c. Read 2°* *Mar* 30 [Bill 59]

County Voters Registration (Ireland) Bill
(*Sir R. Peel, Sir C. O'Loghlen*)
c. Motion, "That the Bill be now read 2°" (*Sir R. Peel*) *Mar* 24, 265 [Bill 70]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Bagwell*); Question proposed, "That 'now,' &c.;" A. 30, N. 32; M. 2; words added
Main Question, as amended, agreed to; second reading put off for six months

COURTENAY, Lord, *Exeter*
Landlord and Tenant (Ireland), Law of, Comm. moved for, 593

Court of Chancery (Ireland) Bill
(*Mr. Attorney General, Sir Robert Peel, Sir Colman O'Loghlen*) [Bill 6]
c. Order for Committee read; Motion, "That Mr. Speaker do now leave the Chair" (*Mr. Attorney General*) *Mar* 30, 500
Amendt. to leave out from "That" and add "the Bill be committed to a Select Committee" (*Mr. Whiteside*); Question proposed, "That the words, &c.;" after debate, Question put, A. 68, N. 30; M. 38
Bill considered in Committee—R.P.

Court of Chancery (Ireland) Bill
Question, Mr. Vance; Answer, The Attorney General *April* 7, 894

Court of Chancery (Ireland) [Salary, Retired Allowances, and Stamps]
Considered in Committee* *April* 5
Resolution reported* *April* 6

Courts of Conciliation
Question, Mr. Darby Griffith; Answer, Mr. Mackinnon *Mar* 30, 489

Courts of Justice Building Bill
(*The Lord Chancellor*)
l. Read 2ª after debate *April* 28, 1171 (No. 23)
Moved, That the House do now resolve itself into a Committee on the said Bill (*The Lord Chancellor*) *May* 2, 1308
Amendt. moved, To leave out from ("That") and insert ("the Courts of Justice Building Bill and the Courts of Justice Concentration (Site) Bill be referred to a Select Committee, such Committee to inquire and report as to the probable Cost of the new Courts and the Buildings connected therewith, and what new Approaches to the proposed Site will be required, and the probable Cost thereof") (*Lord Redesdale*); Question proposed, "That the words, &c.;" after short debate, on Question? Cont. 55, Not-Cont. 32; M. 23; resolved in the affirmative; List of Cont. and Not-Cont., 1312
Bill considered in Committee, and reported without Amendment
Protest against going into Committee, 1314
Read 3ª *May* 8
Amendt. to leave out Clause 16 (*Lord St. Leonards*), 1578; after debate, Motion negatived
Amendt. to leave out Clause 22 (*Lord St. Leonards*), 1581
On Question, "That the said clause stand part of the Bill?" Cont. 46, Not-Cont. 47; M. 1; Clause struck out; Bill passed
List of Cont. and Not-Cont., 1583
Royal Assent *June* 19 [28 *Vict.* c. 48]

Courts of Justice Concentration (Site) (re-committed) Bill
(*Mr. Cowper, Mr. Attorney General, Mr. Solicitor General*)
c. Order for Committee read; Motion, "That Mr. Speaker do now leave the Chair" (*Mr. Attorney General*) *Mar* 23, 178 [Bill 71]

[*cont.*

Courts of Justice Concentration (*Site*)—cont.
After debate, Debate adjourned
Debate resumed *Mar* 30, 489
Amendt. to leave out from "That," and add "the Bill be re-committed to the former Committee, and that they be instructed to inquire into the capabilities of the Thames Embankment as a site for the proposed buildings" (*Mr. Lygon*)
Question proposed, "That the words, &c.;" after further debate, Question put, and agreed to
Bill considered in Committee, and reported *Mar* 30
Read 3° * *Mar* 31
l. Read 1ª * (*The Lord Chancellor*) *April* 3 (No. 56)
Read 2ª * *April* 28
Committee *; Report *May* 1
Committee *; Report *May* 2
Read 3ª *May* 3
Amendt. in Clause 14, to leave out "Bridges over or" (*Lord St. Leonards*), 1584; Amendt. negatived
Moved, after Clause 18, to insert new clause (*Lord St. Leonards*), 1584
After debate, Cont. 47, Not-Cont. 44; M. 3; Clause added; List of Cont. and Not-Cont., 1588
Royal Assent *June* 19 [28 *Vict.* c. 49]
Protest against the third reading, 1589
Protest against the insertion of the words "Bridges over or" in Clause 14, 1595
(*Parl. P.* No. 74)

COWPER, Right Hon. W. F. (Chief Commissioner of Works), *Hertford*
Chelsea Bridge Toll Abolition, 2R. 1302
Commissionaires, Band of the, 1316
Courts of Justice Concentration (Site), Comm. 180, 497; *cl.* 3, 500
Metropolis—Park Lane, 890
Science and Art Collections, 1547, 1554
Wellington, Duke of, Monument at St. Paul's, 80
Westminster Palace Crypt, 1469
Wimbledon Common, 2R. 780

COX, Mr. W., *Finsbury*
Civil Service Estimates, 736, 739, 740
Inclosure, 2R. Amendt. 540
Landlord and Tenant (Ireland), Law of, Comm. moved for, 612
Mutiny, Comm. *cl.* 22, Amendt. 366; *cl.* 26, Amendt. 368
Public House Closing Act Amendment, 488, 489; 2R. 863
Tenure and Improvement of Land (Ireland), Comm. Adj. moved, 956
Wimbledon Common, 2R. Amendt. 775

CRANWORTH, Lord
Bankruptcy and Insolvency (Ireland) Act Amendment, Report, 274; Commons Amendts. 1305
Courts of Justice Building, 2R. 1190

CRAUFURD, Mr. E. H. J., *Ayr, &c.*
Lanarkshire County Prison Board, 2R. 196
Writs Registration (Scotland), 2R. Amendt. 1165, 1572

CRAWFORD, Mr. R. W., *London*
Courts of Justice Concentration (Site), Comm. 499
Export Duties (India), 1699
Fire Insurance, Res. 42
India—The Loan, 1601
Ways and Means, Comm. Res. Tea, 1482

CROSSLEY, Sir F., *Yorkshire, W. R.*
Financial Statement, Comm. Res. 1143
Ways and Means, Comm. Res. Fire Insurance, 1511

Customs, Out-Door Officers of
Question, Mr. Lyall; Answer, Mr. Peel *April* 3, 669
Amendt. on Committee of Supply *April* 28, To leave out from "That," and add "a Select Committee be appointed to inquire into the grievances referred to in the Petition of the Mayor, Merchants, Shipowners, and Commercial Traders of Liverpool, which was presented on the 20th day of March last, with reference to the Out-door Officers of Customs" (*Mr. Hennessy*), 1205
Question, "That the words, &c.;" after debate, Question put, A. 80, N. 69; M. 11

DALGLISH, Mr. R., *Glasgow*
Lanarkshire County Prison Board, 2R. 195

DALHOUSIE, Earl of
Colonial Naval Defence, 3R. 484

DAMER, Mr. L. S. D., *Portarlington*
Thames, The, at Hampton Court, 79

DE GREY AND RIPON, Earl (Secretary of State for War)
Canada—Defences of, 1530
Ireland—Curragh of Kildare, 869

DENISON, Rt. Hon. J. E., *see* SPEAKER, The

DENMAN, Hon. G., *Tiverton*
Merchant Shipping Disputes, Leave, 268
Militia—The 3rd Middlesex, 1598

DENT, Mr. J. D., *Scarborough*
Locomotives on Roads, Comm. *cl.* 5, 1068

DERBY, Earl of
Courts of Justice Building, 3R. *cl.* 16, 1579, 1580
Courts of Justice Concentration (Site), 3R. *add. cl.* 1586, 1587
Dockrall, Mr., Case of, Papers moved for, 192
Edmunds, Leonard—Resignation of, Report of Select Comm. 1525
Public Schools, 2R. 630, 652, 656, 668
Qualification for Offices Abolition, 2R. Amendt. 1231, 1235
Standing Order No. 191 — Displacement of London Poor, 874
United States—Assassination of President Lincoln, 1074; Address moved, 1223; Explanation, 1452

DERING, Sir E. C., *Kent E.*
Locomotives on Roads, Comm. *cl.* 2, 1064; *cl.* 4, 1067; *cl.* 5, 1068
Union Chargeability, 2R. 302

DEVON, Earl of
Public Schools, 2R. 645, 647

DICKSON, Colonel J. A., *Limerick Co.*
Army Estimates—Works, Buildings, &c. 247, 254;—Chelsea and Kilmainham Hospitals, Adj. moved, 264, 265
County Voters Registration (Ireland), 2R. 265
Ireland—Railway System, Address moved, 923
Landlord and Tenant (Ireland), Law of, Comm. moved for, 610
Mutiny, Comm. *cl.* 1, 363; *cl.* 6, 366
Railway Travelling (Ireland), 2R. 59
Sheep, &c. Protection (Ireland), 2R. 464
Union Officers (Ireland) Superannuation, Comm. *cl.* 3, Amendt. 267

DILLWYN, Mr. L. L., *Swansea*
Church Establishment (Ireland), Res. 384, 396, 1204
Isle of Man Disafforestation (Compensation), 3R. 1520

DISRAELI, Right Hon. B., *Buckinghamshire*
Army Estimates—Works, Buildings, &c. 154
Borough Franchise Extension, 2R. 1446, 1448, 1449, 1691
Cobden, Mr., The late, 676
United States—Assassination of President Lincoln, Address moved, 1245

District Church Tithes Bill
(*The Duke of Marlborough*)
l. Read 1ª * *Mar* 24 (No. 45)
Read 2ª after short debate *April* 27, 1074
Committee *; Report *May* 8

Dockrall, Mr., Detention of
Moved for Copies of Correspondence relating to (*The Earl of Malmesbury*) *Mar* 24, 188
After short debate, Motion agreed to

DODSON, Mr. J. G. (Chairman of Committees), *Sussex, E.*
Army Estimates—Works, Buildings, &c. 175
Civil Service Estimates, 739, 740, 741, 742
Greenock Railway, Re-Comm. 1201, 1202
Inclosure, Comm. 628
Tests Abolition (Oxford), Leave, 49

Dogs Regulation (Ireland Bill
(*Sir Robert Peel, Mr. Luke White*)
c. Bill ordered; read 1° * *May* 4, 1524 [Bill 127]

DONOUGHMORE, Earl of
Bankruptcy and Insolvency (Ireland) Act Amendment, Rep., 274; Commons Amendts. 1307
Destruction of Metropolitan Houses by Railways, 554, 555
Juries (Ireland), 2R. 1596
Record of Title (Ireland), 2R. 1457

Drainage Act (Ireland) 1863
Question, Captain Stacpoole; Answer, Mr. Peel *May* 2, 1317

Drainage and Improvement of Land (Ireland) Acts Amendment Bill
(*Mr. Peel, Mr. Chancellor of the Exchequer*)
c. Bill ordered; read 1° * *May* 3, 1450 [Bill 125]

Drainage and Improvement of Lands (Ireland) Provisional Orders Confirmation Bill (*Mr. Peel, Sir G. Grey*)
c. Motion, "That the Bill be now read 2°;" after short debate, A. 123, N. 72; M. 51
Read 2° *Mar* 23, 181 [Bill 82]
Committee *; Report *Mar* 27
Read 3° * *Mar* 28
l. Read 1ª * (*The Lord Steward*) *Mar* 30 (No. 50)
Read 2ª * *April* 3
Read 3ª * *April* 4
Royal Assent *April* 7 [28 *Vict.* c 13]

Drake, Mr., Case of the Late
Question, Sir John Shelley; Answer, Sir George Grey *Mar* 30, 487

DRAX, Mr. J. S., *Wareham*
Wimbledon Common, 2R. 775

Dublin International Exhibition (1865) Bill (*The Lord Steward*)
l. Read 2ª * *Mar* 23 (No. 13)
Read 3ª * *Mar* 24
Royal Assent *Mar* 27 [28 *Vict.* c. 6]

DU CANE, Mr. C., *Essex, N.*
Financial Statement—Ways and Means, Comm. Res. 1139

DUFF, Mr. M. E. Grant, *Elgin, &c.*
Church Establishment (Ireland), Res. 449

DUFFERIN, Lord (Under Secretary for India)
East India (Governor Generals Powers), Comm. 870, 872

DUNKELLIN, Lord, *Galway Bo.*
India—The Bhootan Expedition, 781
Ireland—Military Occupation of the Curragh, 1569
Railway Travelling (Ireland), 2R. 65

DUNLOP, Mr A. M., *Greenock*
Customs, Out Door Officers of, Comm. moved for, 1218
Episcopal Church in the Colonies, 275, 276, 277
Greenock Railway, Re-Comm. 1194
Writs Registration (Scotland), 2R. 1160, 1571

DUNNE, Colonel F. P., *Queen's Co.*
Army Estimates—Works, Buildings, &c. 246;—Military Education, 256;—Chelsea and Kilmainham Hospitals, 264, 852, 853;—Su-

[*cont.*

DUNNE, Colonel F. P.—*cont.*
perannuation Allowances, Adj. moved, 858;—Administration of the Army, 986, 995
Bankruptcy and Insolvency (Ireland) Act Amendment, Lords Amendts. 788
County Voters Registration (Ireland), 2R. 265
Drainage, &c. of Lands (Ireland), 2R. 181
Holyhead Harbour, 944
Ionian Islands—Pensions to Officers, 212
Ireland—Military Occupation of the Curragh, 1568
Land Debentures (Ireland), Comm. *cl.* 11, 753, 755
Mutiny, Comm. *cl.* 1, 364
Qualification for Offices Abolition, 3R. 182
Sheep, &c. Protection (Ireland), 2R. 468
Tories, Robbers, and Rapparees (Ireland), 2R. 757; Comm. 1523

DUNNE, Mr. M., *Queen's Co.*
Landlord and Tenant (Ireland), Law of, Comm. moved for, 610

DUNSANY, Lord
Bankruptcy and Insolvency (Ireland) Act Amendment, Report, 274

DUTTON, Hon. R. H., *Hampshire, S.*
Ways and Means, Comm. Res. Tea, 1498

Easter Recess
Question, Mr. Arthur Mills; Answer, Viscount Palmerston *Mar* 24, 202

East India (Governor Generals Powers, &c.) Bill (*Sir C. Wood, Mr. Baring*)
c. Read 2° * *Mar* 23 [Bill 76]
Committee *; Report *Mar* 28, 456
Read 3° * *Mar* 31
l. Read 1ª * (*Lord Dufferin*) *April* 3 (No. 57)
Read 2ª * *April* 6
Committee *; Report *April* 7, 870
Read 3ª * *April* 27
Royal Assent *May* 9 [28 *Vict.* c. 17]

East India High Courts Bill (*Sir Charles Wood, Mr. Baring*)
c. Read 2° * *Mar* 23 [Bill 77]
Committee *; Report *Mar* 28
Read 3° * *Mar* 30
l. Read 1ª * (*Lord Dufferin*) *Mar* 31 (No. 54)
Read 2ª * *April* 3
Committee *; Report *April* 4
Read 3ª * *April* 6
Royal Assent *April* 7 [28 *Vict.* c. 15]

EBURY, Lord
Qualification for Offices Abolition, 2R. 1235

Edmunds, Leonard, Esq.
Resignation of Certain Offices—Report of the Select Committee, Observations, The Earl of Derby *May* 5, 1525:—Notice of Resolutions, Lord Redesdale *May* 8, 1573 (*Parl. P.* No. 294)

Education
Endowments for—Minute of Council presented (*Mr. H. A. Bruce*) *May* 5, 1535
Minute of Council, Question, Mr. Adderley; Answer, Sir George Grey *May* 2, 1317
Revised Code — Examination of Children, Observations, The Earl of Harrowby; Reply, Earl Granville *April* 7, 878
School Grants, Question, Sir Stafford Northcote; Answer, Mr. H. A. Bruce *May* 4, 1465

Educational and Charitable Institutions Bill (*Mr. Lygon, Mr. Walter*)
c. Bill ordered; read 1° * *Mar* 31, 628 [Bill 97]

EDWARDS, Lieut.-Col. H., *Beverley*
Bank Notes Issue, Comm. 1261
Public House Closing Act Amendment, 2R. 864

EGERTON, Hon. A. F., *Lancashire, S.*
Union Chargeability, 2R. 355
Volunteer Officers—Service on Juries, 671

EGERTON, Hon. W., *Cheshire, N.*
Union Chargeability, 561

ELCHO, Lord, *Haddingtonshire*
Borough Franchise Extension, 2R. Previous Question moved, 1392
Canada—Defences of Quebec, 242; Papers moved for, 793, 815, 816, 842, 848, 892
Chemists and Druggists (No. 1), 2R. 477
Civil Service Estimates, 738
Jones, Mr. Mason, Explanation, 1602
Lanarkshire County Prison Board, 2R. 195
Supply, Report, Res. 1, 359, 362
Wimbledon Common, 2R. 779

Election Petitions Act (1848) Amendment Bill (*The Marquess of Clanricarde*)
l. Report * *Mar* 23 (No. 35)
Read 3ª * *Mar* 24
Royal Assent *April* 7 [28 *Vict.* c. 8]

ELLENBOROUGH, Earl of
Courts of Justice Building, Comm. 1309; *cl.* 4, 1313; *cl.* 7, 1314
Destruction of Metropolitan Buildings by Railways, 555
East India (Governor Generals Powers), Comm. 872
Public Schools, 746; Select Comm. 1304, 1305; Nomination of Comm. 1458, 1459
Standing Order No. 191—Displacement of London Poor, 875

ELPHINSTONE, Sir J. D. H., *Portsmouth*
India—The Budget, 892
Navy—Board of Admiralty, 700
Navy Estimates — Admiralty Office, 727;—Coast Guard Service, 729;—Naval Establishments at Home, Adj. moved, 732, 733;—Wages to Artificers at Home, 948, 953;—Wages to Artificers Abroad, Adj. moved, 954;—Miscellaneous Services, 955

Ennis, Mr. J., *Athlone*
Ireland—Railway System, Address moved, 915

Ewart, Mr. J. C., *Liverpool*
Isle of Man Disafforestation (Compensation), 3R. 1520

Ewart, Mr. W., *Dumfries, &c.*
Army—Cultivation of Gardens by Soldiers, 670
Greenock Railway, Re-Comm. 1200
Parliamentary Papers, Digest of, Comm. moved for, 215, 223
United States—War in the, 83

Exchequer, Chancellor of the, *see* Chancellor of the Exchequer

Execution at Durham of Matthew Atkinson
Question, Mr. Lawson; Answer, Sir George Grey *Mar* 21, 7

Executions at Newgate
Question, Mr. Hanbury; Answer, Sir George Grey *May* 4, 1465

Exeter, The Diocese of
Question, Mr. Wyld; Answer, Sir George Grey *April* 7, 931

Factories Act—The Clay Yards
Question, Mr. Heygate; Answer, Sir George Grey *May* 4, 1467

Farquhar, Sir W. M. T., *Hertford*
Wellington, Duke of, Monument at St. Paul's, 80

Fellowes, Mr. E., *Huntingdonshire*
Locomotives on Roads, Comm. *cl.* 2, Amendt. 1063, 1064; *cl.* 4, Amendt. 1060; *cl.* 5, 1068

Felony and Misdemeanor Evidence and Practice Bill (*Lord Chelmsford*)
l. Committee*; Report *Mar* 23 (No. 22)
Read 3ª* *Mar* 24
Royal Assent *May* 9 [28 *Vict.* c. 18]

Fenwick, Mr. H., *Sunderland*
Sheep and Cattle, 2R. 469

Fergusson, Sir J., *Ayrshire*
Greenock Railway, Re-Comm. 1198
Ionian Islands—Pensions to Officers, 213
Ways and Means, Comm. Res. Fire Insurance, Amendt. 1504
Writs Registration (Scotland), 2R. 1167, 1571

Ferrand, Mr. W. B., *Devonport*
Parochial Medical Relief, 568
Union Chargeability, 2R. 356, 1204
Waterworks Reservoirs, 7
Wycombe Poor Law Union, 82

Financial Statement
Question, Mr. Darby Griffith; Answer, The Chancellor of the Exchequer *May* 4, 1466

Finlay, Mr. A. S., *Argyllshire*
Public House Closing Act Amendment, 2R. 866

Fire Insurance Duty
Motion, "That, in the opinion of this House, it is expedient that the reduction of Fire Insurance Duty, made in the last Session, be extended, at the earliest opportunity, to houses, household goods, and all descriptions of insurable property" (*Mr. H. B. Sheridan*) *Mar* 21, 35
After debate, previous Question put, A. 137, N. 65; M. 72
Main Question put, and agreed to, 37
Division List, Ayes and Noes, 44

Fire Insurance Duty
Question, Mr. Wyld; Answer, The Chancellor of the Exchequer *May* 4, 1467

Fires in London
Question, Mr. Hankey; Answer, Mr. T. G. Baring *Mar* 21, 7

Floyer, Mr. J., *Dorsetshire*
Union Chargeability, 2R. 317

Forde, Lieut.-Col. W. B., *Downshire*
Ireland—County Down Assizes—Chief Justice Monahan, Adj. moved, 199

Forfeiture for Treason and Felony Bill (*Mr. Attorney General, Mr. Solicitor General, Sir George Grey*)
c. Bill ordered *May* 5, 1572

Forster, Mr. C., *Walsall*
India—Azeem Jah (Signatures to Petitions), Report, Res. 1604, 1607

Forster, Mr. W. E., *Bradford*
Army Estimates—Administration of the Army, 991
Borough Franchise Extension, 2R. 1398, 1445, 1640
Flogging in Gaols, 79
Landlord and Tenant (Ireland), Law of, Comm. moved for, 585, 626
Zollverein, The, 1535

Fortescue, Right Hon. C. S. (Under Secretary for the Colonies), *Louth Co.*
Army Estimates—Works, Buildings, &c. 143
Canada—Defences of, Papers moved for, 839
Colonial Governors (Retiring Pensions), Leave, 1517, 1519

French, Colonel F., *Roscommon Co.*
Bankruptcy and Insolvency (Ireland) Act Amendment, Lords Amendts. 786
Constabulary Force (Ireland) Act Amendment, 2R. 1513
Education — Endowments for, Minute of Council, 1537
Ireland—Military occupation of the Curragh, 1570
Tories, Robbers, and Rapparees (Ireland), 2R. 757

Gaols, Flogging in
Questions, Mr. Scully, Mr. Hadfield, Mr. W. E. Forster; Answer, Sir George Grey *Mar* 23, 77

Gavin, Major G., *Limerick City*
Railway Travelling (Ireland), 2R. 63

General Post Office (Additional Site) Bill
(*Mr. Peel, Mr. Cowper*)
c. Bill ordered; read 1° *Mar* 27, 369 [Bill 94]
Read 2°* *April* 7
Referred to Select Committee:—Mr. Cowper, Mr. Peel, and Mr. Adam, and three Members to be added by Committee of Selection *April* 26

George, Mr. J., *Wexford Co.*
Court of Chancery (Ireland), Comm. 521
Tories, Robbers, and Rapparees (Ireland), 2R. 756

Gibson, Rt. Hon. T. M. (President of the Board of Trade), *Ashton-under-Lyne*
Agricultural Statistics, 560
Bankruptcy and Insolvency (Ireland) Act Amendment, Lords Amendts. 787
Holyhead Harbour, 945
Oyster Fishery, 672
Partnership Amendment, 2R. 1273, 1293
Scotland—Port Patrick Harbour, 783
Thames and Isis Navigation, 226
Thames, The, at Hampton Court, 80
Ways and Means, Comm. Res. Tea, 1485

Gilpin, Colonel R. T., *Bedfordshire*
Army Estimates—Administration of the Army, 993
Canada—Defences of, Papers moved for, 848

Gladstone, Right Hon. W. E., *see* Chancellor of the Exchequer

Goldsmid, Sir F. H., *Reading*
Borough Franchise Extension, 2R. 1656
Civil Service Estimates, 742
Greenock Railway, Re-Comm. 1197
Schleswig-Holstein Duchies, 929

Goschen, Mr. G. J., *London*
Bank Notes Issue, Comm. 1264; *cl.* 8, 1268
Church Establishment (Ireland), Res. Adj. moved, 455
Customs, Out Door Officers of, Comm. moved for, 1217
India—Expedition to Bhootan, 939
Partnership Amendment, 2R. 1295
Tests Abolition (Oxford), Leave, 48

Gower, Hon. E. F. Leveson, *Bodmin*
Landlord and Tenant (Ireland), Law of, Comm. moved for, 596

Grand Juries (Ireland) Bill
(*Mr. Blake, Mr. McMahon, Mr. Maguire*)
c. Bill ordered; read 1° *Mar* 27, 369 [Bill 93]

Granville, Earl (Lord President of the Council)
Bankruptcy and Insolvency (Ireland) Act Amendment, Commons Amendts. 1306
Cartoons at Hampton Court Palace, 558
Casual Poor—Metropolis, 5
Courts of Justice Building, Comm. 1309
Courts of Justice Concentration (Site), 3R. *add. cl.* 1587
Destruction of Metropolitan Buildings by Railways, 554
Dockrall, Mr., Case of, Papers moved for, 191
Easter Holidays, Notice, 486
Edmunds, Leonard, Resignation of, Report of Select Comm. 1525
Education — Revised Code—Examination of Children, 878, 879
Imprisonment on Civil Process, Middlesex, 3
Ireland—(Catharine Gaughran), Papers moved for, 272
Juries (Ireland), 2R. 1596
Police (Ireland), Returns moved for, 1598
Public Schools, Select Comm. 1304
Russia—Epidemic in, 744, 880
Saffron Hill Murder—Case of Pelizzioni, 485

Greaves, Mr. E., *Warwick*
Bristol and North Somerset Railway, 2R. Amendt. 877

Green, Mary, Case of
Question, Mr. Hennessy; Answer, Mr. C. P. Villiers *April* 27, 1082

Greenock Railway Bill
c. Motion, "That the Greenock Railway Bill be re-committed to the former Committee" (*Mr. E. P. Bouverie*) *April* 28, 1193
After debate, Question put, A. 110, N. 76; M. 34

Greenwich Hospital Bill
(*Mr. Childers, Lord Clarence Paget, Mr. Adam*)
c. After long debate, Bill ordered; read 1° *April* 25, 1002 [Bill 113]

Greenwood, Mr. J., *Ripon*
Locomotives on Roads, Comm. *cl.* 4, 1067

Gregory, Mr. W. H., *Galway Co.*
Borough Franchise Extension, 2R. Adj. moved, 1445, 1449, 1613
National Gallery—Mr. Frith's "Derby Day," 1238
Science and Art Collections, 1537, 1557, 1558

Greville, Colonel F. S., *Longford Co.*
- Bankruptcy and Insolvency (Ireland) Act Amendment, Lords Amendts. 787
- Ireland—County Down Assizes—Chief Justice Monahan, 201
- Landlord and Tenant (Ireland), Law of, moved for, 598
- Qualification for Offices Abolition, 3R. 181

Grey, Right Hon. Sir G. (Secretary of State for the Home Department), *Morpeth*
- Borough Franchise Extension, 2R. 1446, 1469, 1471, 1629
- Chemists and Druggists (No. 2), 2R. 476
- Church Establishment (Ireland), Res. 396
- Clerical Subscription, Leave, 1710
- Drake, Mr., Case of the late, 488
- Education—Minute of Council, 1318
- Execution at Durham, 8
- Executions at Newgate, 1465
- Exeter, Diocese of, 934
- Factories Act—The Clay Yards, 1467
- Flogging in Gaols, 78, 79
- Highways Act, 84
- Inclosure, Comm. 628
- Industrial Schools, Suspension of Standing Order, 486
- Infant Mortality at Emneth, 562, 959
- Ireland—County Down Assizes—Chief Justice Monahan, 201;—Titles to Land, 888;—Opening of the Dublin Exhibition, 1604
- Lock Out in the Iron Trade, 92
- Locomotives on Roads, Comm. *cl.* 1, 1060, 1070; *cl.* 2, 1065, 1066; *cl.* 4, Amendt. 1067; *cl.* 5, 1069; *cl.* 8, 1070
- Mayne, Sir R., and the Barnet Magistrates, 722
- Metropolis Sewage and Essex Reclamation, Consid. 886
- Metropolitan Toll Bridges, 2R. 1055
- Mines, Condition of, 1590
- Public House Closing Act Amendment, 489; 2R. 867
- Qualification for Offices Abolition, 3R. 182
- Reformatory Children, Exhibition of, 1001
- Roman Catholic Oath, Leave, 31
- Russia—Epidemic in, 784, 889
- Saffron Hill Murder, 84
- Smith or Swanson, Margaret, Case of, 84
- Turnpike Tolls Abolition, Leave, 1524
- United States—Assassination of President Lincoln, 1081; Address moved, 1242
- Waterworks Reservoirs, 7

Griffith, Mr. C. Darby, *Devizes*
- Courts of Conciliation, 489
- Financial Statement, 1466
- Land Debentures (Ireland), Comm. *cl.* 9, 753
- Locomotives on Roads, Comm. *cl.* 2, Amendt. 1065; *cl.* 1, 1071
- Postmaster General, Office of, Comm. moved for, 378, 895
- Union of Benefices Act Amendment, 1015

Grogan, Sir E., *Dublin City*
- Ireland—Royal Hibernian Military School, Returns moved for, 542;—Deep Sea Fishery, 669
- Union Officers (Ireland) Superannuation, Comm. *cl.* 1, 267

Hadfield, Mr. G., *Sheffield*
- Borough Franchise Extension, 2R. 1394
- Flogging in Gaols, 78, 79
- Local Government Supplemental, Comm. 1034, 1035
- Obsolete Acts of Parliament, 1002
- Qualification for Offices Abolition, 3R. 181

Haliburton, Mr., T. C., *Launceston*
- Army Estimates—Works, Buildings, &c. 133
- Canada—Defences of, Papers moved for, 793

Hamilton, Right Hon. Lord C., *Tyrone Co.*
- India Office (Site, &c.), Comm. *cl.* 2, 862
- Qualification for Offices Abolition, 3R. 183

Hamilton, Major, W. F., *Linlithgowshire*
- Railway Travelling (Ireland), 2R. 66

Hanbury, Mr. R., *Middlesex*
- Executions at Newgate, 1465
- Nazareth—Church at, 79
- Newington Green and Hornsey Road, 1239

Hankey, Mr. T., *Peterborough*
- Bank Notes Issue, Comm. 1260; *cl.* 8, 1266; Amendt. 1268; *add. cl.* 1272
- Charitable Trusts Fees, 2R. 1027
- Civil Service Estimates, 735
- Fires in London, 7
- Parliamentary Papers, Digest of, Comm. moved for, 221

Hardwicke, Earl of
- Courts of Justice Building, Comm. 1309

Hardy, Mr. G., *Leominster*
- Church Establishment (Ireland), Res. 402

Hardy, Mr. J., *Dartmouth*
- Locomotives on Roads, Comm. *cl.* 2, 1064

Harrowby, Earl of
- Casual Poor—Metropolis, 6
- Education—Revised Code—Examination of Children, 878, 879

Hartington, Marquess of (Under Secretary for War), *Lancashire, N.*
- Army Estimates—Works, Buildings, &c. 94, 249, 253;—Military Education, 258, 262;—Miscellaneous Services, 263;—Chelsea and Kilmainham Hospitals, 264, 853, 856;—Superannuation Allowances, 858;—Administration of the Army, 976, 994
- Army—Libraries, &c., Papers moved for, 47;—The Foot Guards, 89;—The War Office, 202;—Depôt Battalions, Explanation, 241;—Ordnance Select Committee, 371;—Recruiting, 372;—Cultivation of Gardens by Soldiers, 670;—Ordnance Experiments, 672
- Canada—Defences of, Papers moved for, 846, 848

[*cont.*

Hartington, Marquess of—*cont.*
China—Indian Allowance in, 82
Ireland—Royal Hibernian Military School, Returns moved for, 542
Militia—The 3rd Middlesex, 1599
Mutiny, Comm. *cl.* 1, 363, 364; *cl.* 26, 368; *cl.* 31, 369
New Zealand—Prize Money, 81;—Troops in, 83
Supply, Report, Res. 1, 359
United States—War in the, 83
Volunteer Sergeant Instructors, Allowances to, 86;—Drill Instructors to, 671;—Volunteer Officers—Service on Juries, *ib.*

Harwich Harbour Bill
(*Mr. Gibson, Mr. Hutt*)
c. Considered in Committee; Bill ordered *May* 4

Hay, Sir J. C. D., *Wakefield*
Canada—Defences of, Papers moved for, 801
Greenwich Hospital, Leave, 1012
Locomotives on Roads, Comm. *cl.* 2, 1065; *cl.* 5, 1068
Navy Estimates—Coast Guard Service, 727;—Wages to Artificers at Home, Adj. moved, 733;—Miscellaneous Services, 954;—Naval Stores, 995;—Half Pay, 996
Supply, Report, Res. 1, 359, 1038

Headlam, Right Hon. T. E. (Judge Advocate General), *Newcastle-upon-Tyne*
Metropolis Sewage and Essex Reclamation, Consid. 884
Mutiny, Comm. *cl.* 6, 366

Henley, Lord, *Northampton*
Union Chargeability, 2R. 312

Henley, Right Hon. J. W., *Oxfordshire*
Civil Service Estimates, 741
Greenock Railway, Re-Comm. 1202
Land Debentures (Ireland), Comm. 751
Locomotives on Roads, Comm. *cl.* 1, Amendt. 1062; *cl.* 2, 1065; *cl.* 4, 1067, 1068; *cl.* 6, 1069
Mayne, Sir R., and the Barnet Magistrates, 724
Metropolis Sewage and Essex Reclamation, Consid. 885
Metropolitan Houseless Poor, Comm. *add. cl.* Amendt. 761, 764
Mutiny, Comm. *cl.* 1, 364
Parliamentary Papers, Digest of, Comm. moved for, 221
Partnership Amendment, 2R. 1299
Public House Closing Act Amendment, 2R. 866
Sheep, &c. Protection (Ireland), 2R. 468
Thames and Isis Navigation, 228
Union Chargeability, 2R. 343
Union of Benefices Act Amendment, Leave, 1020
Ways and Means, Comm. Res. Tea, 1482, 1483, 1492, 1493

Hennessy, Mr. J. P., *King's Co.*
Army Estimates—Chelsea and Kilmainham Hospitals, 264
[*cont.*

Hennessy, Mr. J. P.—*cont.*
Chelsea Bridge Toll Abolition, 2R. 1303
Courts of Justice Concentration (Site), Comm. Adj. moved, 179
Customs, Out Door Officers of, Comm. moved for, 1205, 1213
Drainage of Lands, &c. (Ireland), 2R. 181
Green, Mary, Case of, 1082
India—Azeem Jah (Signatures to Petitions), Report, Res. 1606, 1612
Ireland—County Down Assizes—Chief Justice Monahan, 201;—Music at the Dublin Exhibition, 1470, 1471; Res. 1572
Lock Out in the Iron Trade, 90
Mutiny, Comm. *cl.* 31, 368
Qualification for Offices Abolition, 3R. 181
Supply, Report, Adj. moved, 360
Tenure and Improvement of Land (Ireland), Comm. Amendt. 955
Tories, Robbers, and Rapparees (Ireland), Comm. 1521
Union Officers (Ireland) Superannuation, Comm. *cl.* 1, Amendt. 267

Herring Fisheries (Scotland) Bill
(*The Lord Advocate, Sir W. Dunbar*)
c. Committee*; Report *Mar* 23 [Bill 49]
Considered* *Mar* 24
Read 3° * *Mar* 27
l. Read 1ª * (*The Lord Privy Seal*) *Mar* 28
Read 2ª * *May* 2 (No. 48)
Committee*; Report *May* 4
Read 3ª * *May* 5
Royal Assent *May* 9 [28 *Vict.* c. 22]

Heygate, Sir W. F., *Londonderry Co.*
Church Establishment (Ireland), Res. 455
Sheep, &c. Protection (Ireland), 2R. 457, 463, 468

Heygate, Mr. W. U., *Leicester*
Bank Notes Issue, Comm. 1260; *cl.* 8, 1266 *add. cl.* 1271
Factories Act—The Clay Yards, 1467

Hibbert, Mr. J. T., *Oldham*
Colonial Governors (Retiring Pensions), Leave, 1519

Highways Act
Question, Mr. Richard Long; Answer, Sir George Grey *Mar* 23, 84

Hodgkinson, Mr. G., *Newark*
Union Chargeability, 2R. 308

Holland, Mr. E., *Evesham*
Locomotives on Roads, Comm. *cl.* 2, Amendt. 1063, 1065; *cl.* 6, Proviso, 1069; *add. cl.* 1071

Holyhead Harbour
Question, Colonel Dunne; Answer, Mr. Milner Gibson *April* 7, 944

Horsfall, Mr. T. B., *Liverpool*
Customs, Out Door Officers of, Comm. moved for, 1212

HORSMAN, Right Hon. E., *Stroud*
Borough Franchise Extension, 2R. 1674, 1675

HOTHAM, Lord, *Yorkshire, E. R.*
Mutiny, Comm. *cl.* 6, 364

HOUGHTON, Lord
Casual Poor—Metropolis, 3
Private Bill Costs, 2R. 75; Comm. Amendt. 273; Report, *add. cl.* 483; 3R. 768
Public Schools, 2R. 660
Qualification for Offices Abolition, 2R. 1228
Saffron Hill Murder—Case of Pelizzioni, 484, 486

HOWES, Mr. E., *Norfolk, E.*
Police Superannuation, Comm. *add. cl.* 1071, 1073

HUBBARD, Mr. J. G., *Buckingham*
Bank Notes Issue, Comm. 1263; *cl.* 8, 1266, 1268; *add. cl.* 1272
Fire Insurance, Res. 42
Partnership Amendment, 2R. 1288
Union of Benefices Act Amendment, Leave, Adj. moved, 1015
Ways and Means, Comm. Res. Income, 1501; —Fire Insurance, 1507

HUNT, Mr. G. W., *Northamptonshire, N.*
Locomotives on Roads, Comm. *cl.* 2, Amendt. 1065, 1066; *cl.* 4, Proviso, 1068; *cl.* 5, 1069
Qualification for Offices Abolition, 3R. 183
Turnpike Trusts, 1469
Union Chargeability, 1204

Imprisonment on Civil Process, Middlesex
Question, The Marquess Townshend; Answer, Earl Granville *Mar* 21, 2

Inclosure Bill
(*Mr. Baring, Sir George Grey*)
c. Bill ordered; read 1° *Mar* 23, 187 [Bill 89]
Motion, "That the Bill be now read 2°" (*Mr. T. G. Baring*) *Mar* 30, 540
Amendt. to leave out "now," and add "upon this day week" (*Mr. Cox*); Question proposed, "That 'now,' &c.;" Amendt. withdrawn
Read 2° *Mar* 30
Committee; Report *Mar* 31, 627
Considered* *April* 3
Read 3°* *April* 5
l. Read 1ª* (*The Lord Stanley of Alderley*) *April* 6 (No. 64)
Read 2ª* *May* 2
Committee*; Report *May* 4
Read 3ª* *May* 5
Royal Assent *May* 9 [28 *Vict. c.* 20]

Income Tax Papers
Question, Mr. Locke; Answer, The Chancellor of the Exchequer *April* 3, 670

India
Bhootan Expedition, the, Question, Lord Dunkellin; Answer, Sir Charles Wood *April* 6, 781:—Observations, Mr. Henry Seymour; Answer, Sir Charles Wood *April* 7, 936
Budget, the, Question, Mr. Henry Seymour; Answer, Sir Charles Wood *April* 7, 891
Export Duties, Question, Mr. Caird; Answer, Sir Charles Wood *May* 3, 1600
Indian Officers, Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to redress all such grievances complained of by the Officers of the late Indian Armies, as were admitted by the 'Commission on the Memorials of Indian Officers' to have arisen by a departure from the assurances given by Parliament, by 21 and 22 Vic. c. 106, and 23 and 24 Vic. c. 100" (*Captain Jervis*) *May* 2, 1318; after long debate, A. 49, N. 36; M. 13
Labour Ordinance for, Question, Mr. Henry Seymour; Answer, Sir Charles Wood *Mar* 24, 236
Loan, Question, Mr. Crawford; Answer, Sir Charles Wood *May* 8, 1601
Lucknow Prize Money, Question, Mr. Scholefield; Answer, Sir Charles Wood *Mar* 23, 371:—Question, Sir Stafford Northcote; Answer, Sir Charles Wood *May* 8, 1601
Officers Serving in, Question, Sir Harry Verney; Answer, Sir Charles Wood *April* 6, 792
Pegu Prize Money, the, Question, Mr. H. Cole; Answer, Sir Charles Wood *April* 6, 783:—Explanation, Sir Charles Wood *April* 24, 959
Sixty-Fourth Foot, the, Question, General Buckley; Answer, Sir Charles Wood *May* 1, 1240

India Office (Site and Approaches) Bill
(*Mr. Cowper, Sir Charles Wood*) [Bill 65]
c. Select Committee nominated:—Mr. Cowper, Lord John Manners, Sir John Shelley, and Mr. Baillie Cochrane, and three Members to be added by Committee of Selection
Report* *April* 3 [Bill 100]
Committee; Report *April* 6, 861
Considered* *April* 7
Read 3°* *April* 24

Infant Mortality at Emneth, in Norfolk
Question, Mr. Brady; Answer, Sir George Grey *Mar* 31, 562

Inns of Court Bill
(*Sir George Bowyer, Mr. Hennessy*)
c. Motion, "That the Bill be now read 2°" (*Sir George Bowyer*) *April* 26, 1040 [Bill 44]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Locke*); after debate, Amendt. withdrawn; Main Question put, and agreed to
Read 2° *April* 26

Ionian Islands—Pensions to Officers
Question, Mr. Baillie Cochrane; Answer, Mr. Layard; debate thereon *Mar* 24, 202
Personal Explanations, Mr. Baillie Cochrane *Mar* 28, 372

Ireland
Catharine Gaughan, Motion for Address for Papers (*The Marquess of Westmeath*); after debate, Motion agreed to *Mar* 27, 268
Church Establishment, Motion, "That, in the opinion of this House, the present position of the Irish Church Establishment is unsatisfactory, and call for the early attention of Her Majesty's Government" (*Mr. Dillwyn*) *Mar* 28, 384; after long debate, Motion, "That the debate be now adjourned" (*Mr. Goschen*); A. 221, N. 106; M. 115; Debate adjourned till Tuesday 2nd May
Question, Mr. Walpole; Answer, Mr. Dillwyn *April* 28, 1204
County Down Assizes—Chief Justice Monahan, Question, Sir Thomas Bateson; Answer, Sir Robert Peel *Mar* 24, 196; Debate arising, Motion, "That this House do now adjourn" (*Colonel Forde*); after short debate, Motion withdrawn
Curragh of Kildare, Question, The Marquess of Clanricarde; Answer, Earl De Grey and Ripon *April* 7, 869
Deep Sea Fishery, Question, Sir Edward Grogan; Answer, Sir Robert Peel *April* 3, 669
Dublin Exhibition, The, Resolution (*Mr. Hennessy*); [House counted out] *May* 5, 1572
Dublin Exhibition, Music at the, Question, Mr. Hennessy; Answer, Sir Robert Peel *May* 4, 1470
Dublin Exhibition—Opening of the, Observations, Sir George Grey *May* 8, 1604
Fenian Brotherhood, The, Question, Mr. Whiteside; Answer, Mr. Layard *April* 7, 890
Military Occupation of the Curragh, Question, Lord Naas; Answer, Mr. Peel; debate thereon *May* 5, 1566
Police in, Returns moved for (*The Earl of Leitrim*) *May* 8, 1598
Railway System, Question, Mr. Whiteside; Answer, Mr. Monsell *April* 3, 675
Railway System, Amendt. on Committee of Supply *April* 7, To leave out "That" and add "an humble Address be presented to Her Majesty, praying that the Commissioners appointed to inquire into the Railway System of the United Kingdom may be instructed to direct their inquiries, in the first instance, to the Irish Railway System, with a view of ascertaining, with as little delay as possible, such facts as may enable this House to determine whether the provisions of the second clause of the General Railway Act of 1844 should be applied to such Irish Railways as are subject to its provisions" (*Mr. Monsell*) 896; after long debate, Amendt. withdrawn
Royal Hibernian Military School, Motion for Returns (*Mr. Maguire*), 541; Motion, "That the debate be now adjourned" (*Mr. Whalley*); A. 10, N. 29; M. 19; Original Question again proposed; [House counted out] *Mar* 30
Spirit Duties, Amendt. on Committee of Supply *April* 28 (*Mr. Pollard-Urquhart*); [House counted out], 1218
Titles to Land, Question, Mr. Monsell; Answer, Sir George Grey *April* 7, 888

Iron Trade, The Lock-Out in the
Observations, Mr. Hennessy; Reply, Sir George Grey *Mar* 23, 90

Isle of Man Disafforestation (Compensation) Bill
(*Mr. Dodson, Mr. Peel, Mr. Chancellor of the Exchequer*)
c. Read 2° * *Mar* 27 [Bill 67]
Committee *; Report *May* 3
Motion, "That the Bill be now read 3°" (*Mr. Peel*) *May* 4, 1520
Amendt. to leave out from "That," and add "said Order be Discharged" (*Mr. Augustus Smith*)
Motion, "That the words, &c." put, and agreed to
Main Question agreed to; Bill read 3°
l. Read 1ª * (*The Lord President*) *May* 5 (No. 91)

Jackson, Mr. W., *Newcastle-under-Lyme*
Fire Insurance, Res. 43
Metropolitan Toll Bridges, 2R. 1055, 1058

Jervis, Captain H. J. W., *Harwich*
Indian Officers, Address moved, 1318, 1329

Johnson Colonel, Case of
Observations, Earl Vane; Answer, The Lord Chancellor *May* 5, 1531

Johnstone, Mr. H. A. B., *Canterbury*
Army Estimates—Works, Buildings, &c. 115
Parliamentary Papers, Digest of, Comm. moved for, 223

Jolliffe, Right Hon. Sir W. G. H., *Petersfield*
Chelsea Bridge Toll Abolition, 2R. 1303
Courts of Justice Concentration (Site), Comm. *cl.* 3, 500
Union Chargeability, 2R. 310

Jones, Mr. Mason
Explanation, Lord Elcho *May* 8, 1602

Juries (Ireland) Bill
(*The Marquess of Westmeath*)
l. Bill presented; read 1ª *April* 3, 629 (No. 55)
Moved, "That the Bill be now read 2ª" (*The Marquess of Westmeath*) *May* 8, 1595
After debate, Motion withdrawn
Bill withdrawn

Justices of the Peace Procedure Bill
(*Mr. Paull, Mr. Staniland, Mr. R. Hodgson*)
c. Bill withdrawn *May* 1 [Bill 23]

Kekewich, Mr. S. T., *Devonshire, S.*
New Zealand—Prize Money, 81

Kelly, Sir FitzRoy, *Suffolk, E.*
Chemists and Druggists (No. 1), 2R. 470, 479
Chemists and Druggists (No. 2), Leave, 46
India—Azeem Jah (Signatures to Petitions), Report, Res. 1609
Ways and Means, Comm. Res. Tea, 1484

Ker, Mr. D. S., *Downpatrick*
Land Debentures (Ireland), Comm. *cl.* 11, 755

King, Hon. P. J. L., *Surrey, E.*
Wimbledon Common, 2R. 778

Kinglake, Mr. A. W., *Bridgwater*
Army Estimates—Military Education, 256
Canada—Defences of, Papers moved for, 820
Chemists and Druggists (No. 1), 2R. 476
Ionian Islands—Pensions to Officers, 208

Kingsdown, Lord
Juries (Ireland), 2R. 1596

Kinnaird, Hon. A. F., *Perth*
China—Consular Courts in, 81
Inclosure, 2R. 541
Mines, Condition of, 1599
Navy Estimates—Miscellaneous Services, 955
Parliamentary Papers, Digest of, Comm. moved for, 217
Union of Benefices Act Amendment, Leave, 1020

Kinnaird, Lord
Metalliferous Mines, 1R. 479

Knight, Mr. F. W., *Worcestershire, W.*
Metropolis Sewage and Essex Reclamation, Consid. 883
Metropolitan Houseless Poor, 2R. 537
Salmon Fishery Acts, 889
Union Chargeability, 2R. Adj. moved, 355

Knightley, Sir R., *Northamptonshire, S.*
Locomotives on Roads, Comm. *cl.* 4, 1067
Supply, Report, 363
Union Chargeability, 2R. Amendt. 294

Knox, Hon. Major W. S., *Dungannon*
Commissionaires, Band of the, 1316

Knox, Colonel B. W., *Marlow*
Mutiny, Comm. *cl.* 1, Adj. moved, 364
Thames and Isis Navigation, 226

Lahore Bishopric
(*Sir Charles Wood, Mr. Baring*)
c. Resolution in Committee *Mar* 20
Bill ordered ; read 1° * *Mar* 23 [Bill 88]

Laird, Mr. J., *Birkenhead*
Canada—Defences of, Papers moved for, 845
Holyhead Harbour, 945
Navy—Board of Admiralty, 712
Navy Estimates—Wages to Artificers at Home, 947, 953
Supply, Report, 1035, 1037, 1038

Lanarkshire County Prison Board Bill (*by Order*)
Moved, "That the Bill be now read 2°" *Mar* 24, 194

[*cont.*

Lanarkshire County Prison Board Bill—cont.
Amendt. to leave out "now," and add "upon this day six months" (*Sir E. Colebrooke*); Question proposed, "That 'now' &c."
After short debate, Question put; A. 39, N. 95 ; M. 56 ; words added
Main Question, as amended, agreed to ; second reading put off for six months *Mar* 24

Lancaster Court of Chancery Bill
(*Mr. Attorney General, Mr. Secretary Cardwell*)
c. Bill ordered ; read 1° *April* 7, 956 [Bill 106]
Read 2° * *April* 24
Committee * ; Report *April* 27
Considered * *May* 1
Read 3° * *May* 2
l. Read 1ª * *May* 4 (No. 78)

Land Debentures Bill
(*Mr. Ayrton, Mr. Collins*)
c. Committee * *Mar* 28 [Bill 79]
Committee on Re-Comm. * *April* 24
Report * *April* 27
Considered * *May* 1 [Bill 120]

Land Debentures (Ireland) Bill
(*Mr. Scully, Sir C. O'Loghlen, Mr. P. Urquhart*)
c. Considered in Committee on Re-Comm.—r.p. *April* 5, 750
Committee * ; Report *April* 7 [Bill 80]
Considered * *April* 27
Considered * *May* 1 [Bill 121]

Land Debentures (*Ireland*) [*Stamps*]
Considered * *April* 6 ; Reported * *April* 7

Land Debentures [*Stamps*]
Considered * *April* 25 ; Reported * *April* 26

Land Drainage Supplemental Bill
(*Mr. Baring, Sir George Grey*)
c. Bill ordered ; read 1° *April* 7, 956 [Bill 110]
Read 2° * *April* 24
Committee * ; Report *April* 26
Read 3° * *April* 27
l. Read 1ª * (*The Lord Stanley of Alderley*) *April* 28 (No. 74)
Read 2ª * *May* 4
Committee * ; Report *May* 5
Read 3ª * *May* 8
Royal Assent *May* 9 [28 *Vict.* c 23]

Langton, Mr. W. H. G., *Bristol*
Bristol and North Somerset Railway, 2R. 887

Law of Landlord and Tenant in Ireland
Amendt. on Committee of Supply *Mar* 31, To leave out from "That" and add "a Select Committee be appointed to inquire into the Laws regulating the relations between Landlord and Tenant in Ireland, with a view to their more equitable adjustment" (*Mr. Maguire*), 570
Question proposed, "That the words, &c. ;" after long debate, Amendt. withdrawn *Mar* 31

[*cont.*

Law of Landlord and Tenant in Ireland—cont.
  Another Amendt. proposed *Mar* 31, To leave out from "That" and add "a Select Committee be appointed to inquire into the operation of the Acts of 1860 upon the relations of Landlord and Tenant in Ireland" (*Viscount Palmerston*), 618
  Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn
  Another Amendt. proposed, To leave out from "That" and add "a Select Committee be appointed to inquire into the operation of the Act 23 and 24 Vict. c. 153, on the Tenure and Improvement of Land in Ireland" (*Viscount Palmerston*)
  Question, "That the words, &c.," put, and negatived; words added; Main Question, as amended, agreed to
  And, on April 27, Committee nominated as follows:—Mr. Maguire, Mr. Secretary Cardwell, Lord Naas, Sir Robert Peel, Mr. Seymour Fitzgerald, Mr. Lowe, Mr. Hunt, Mr. William Edward Forster, Lord Claud Hamilton, Colonel Greville, Sir Edward Grogan, Sir Colman O'Loghlen, The O'Donoghue, Lord Dunkellin, Mr. Caird, Mr. George, and Mr. Bagwell

Lawson, Mr. W., *Carlisle*
  Execution at Durham, 7
  Public House Closing Act Amendment, 2R. Amendt. 866, 868
  Ways and Means, Comm. Res. Tea, 1498

Layard, Mr. A. H. (Under Secretary for War), *Southwark*
  Abyssinia—British Prisoners in, 958
  China—Consular Courts in, 81;—Piracy in, 888;—Proceedings in, 1239
  Civil Service Estimates, 739
  Consular Reports, 8
  Ionian Islands—Pensions to Officers, 206
  Ireland—The Fenian Brotherhood, 891
  Morocco—The Jews in, 1084
  Nazareth—Church at, 79
  Schleswig-Holstein Duchies, 930
  State Papers, 790
  Zollverein, The, 1535

Leatham, Mr. E. A., *Huddersfield*
  Borough Franchise Extension, 2R. 1393, 1413

Lefevre, Mr. G. J. Shaw, *Reading*
  Army Estimates—Works, Buildings, &c. 138
  Thames and Isis Navigation, 230

Lefroy, Mr. A., *Dublin University*
  Ireland—Railway System, Address moved, 925
  Railway Travelling (Ireland), 2R. 59

Leighton, Sir B., *Shropshire, S.*
  Locomotives on Roads, Comm. *cl.* 2, 1065; *cl.* 5, 1069
  Metropolitan Toll Bridges, 2R. 1059

Leitrim, Earl of
  Police (Ireland), Returns moved for, 1597

Leslie, Mr. W., *Aberdeenshire*
  China—Indian Allowances in, 81
  Smith or Swanson, Margaret, Case of, 84

Lewis, Mr. J. H., *Marylebone*
  Metropolis Sewage and Essex Reclamation, Consid. 886

Liddell, Hon. G. H., *Northumberland, S.*
  Borough Franchise Extension, 2R. 1649
  Greenwich Hospital, Leave, 1011
  Metropolitan Toll Bridges, 2R. 1058
  Poor Law Unions—Auditors of Accounts, 1203

Local Government Supplemental Bill (*Mr. Baring, Sir George Grey*)
c. Read 2° * *Mar* 23 [Bill 58]
  Considered in Committee, and reported with amended title *April* 25, 1034
  Considered * *April* 26
  Read 3° * *April* 27
l. Read 1ª * (*The Lord Stanley of Alderley*) *April* 28 (No. 72)
  Read 2ª * *May* 4
  Committee *; Report *May* 5
  Read 3ª * *May* 8
  Royal Assent *May* 9 [28 *Vict.* c. 24]

Local Government Supplemental (No. 2) Bill (*Mr. Baring, Sir George Grey*)
c. Bill ordered; read 1° *April* 7, 956
  Read 2° * *April* 24 [Bill 108]
  Committee *; Report *April* 26
  Read 3° * *April* 27
l. Read 1ª * (*The Lord Stanley of Alderley*) *April* 28 (No. 73)
  Read 2ª * *May* 4
  Committee *; Report *May* 5
  Read 3ª * *May* 8
  Royal Assent *May* 9 [28 *Vict.* c. 25]

Local Government Supplemental (No. 3) Bill (*Mr. Baring, Sir George Grey*)
c. Bill ordered; read 1° *April* 26, 1073 [Bill 118]
  Read 2° * and referred to a Select Committee *April* 27

Locke, Mr. J., *Southwark*
  Army Estimates—Miscellaneous Services, 262
  Inclosure, 2R. 540
  Income Tax Papers, 670
  Inns of Court, 2R. Amendt. 1047, 1053
  Metropolitan Toll Bridges, 2R. 1056
  Navy Estimates—Wages to Artificers at Home, 949
  Probate, Court of, 86
  Thames and Isis Navigation, 229
  Wimbledon Common, 2R. 776

Locomotives on Roads Bill (*Mr. Holland, Sir E. Dering, Sir John Hay*)
c. Read 2° * *April* 5 [Bill 63]
  Considered in Committee; and, after long debate, reported *April* 26, 1060 [Bill 116]

London, Bishop of
  Public Schools, 2R. 648
  Standing Order No. 191—Displacement of London Poor, 875

Long, Mr. R. P., *Chippenham*
  Financial Statement—Ways and Means, Comm. Res. 1155
  Highways Act, 84

Longfield, Mr. R., *Mallow*
  County Voters Registration (Ireland), 2R. 266
  Railway Travelling (Ireland), 2R. 64

Longford, Earl of
  Bankruptcy and Insolvency (Ireland) Act Amendment, Report, Amendt. 273
  Destruction of Metropolitan Buildings by Railways, 555

Lowe, Right Hon. R., *Calne*
  Army Estimates—Works, Buildings, &c. 148
  Borough Franchise Extension, 2R. 1423
  Wimbledon Common, 2R. 777

Lyall, Mr. G., *Whitehaven*
  Customs, Out Door Officers of, 669, 1217
  Union of Benefices Act Amendment, Leave, 1014

Lygon, Hon. F., *Worcestershire, W.*
  Courts of Justice Concentration (Site), Comm. 180; Amendt. 490
  Educational and Charitable Institutions, Leave, 628
  Greenwich Hospital, Leave, 1010
  Qualification for Offices Abolition, 3R. 182
  Salmon Fishery Act (1861) Amendment, Leave, 1026
  Union of Benefices Act Amendment, Leave, 1022

Lyttelton, Lord
  Public Schools, 2R. 664, 749

Lyveden, Lord
  East India (Governor Generals Powers), Comm. 870, 872
  Public Schools, Nomination of Comm. 1458

Mackinnon, Mr. W. A., *Rye*
  Courts of Conciliation, 489

McMahon, Mr. P., *Wexford Co.*
  Colonial Governors (Retiring Pensions), Leave, 1517
  Landlord and Tenant (Ireland), Law of, Comm. moved for, 603
  Sheep, &c. Protection (Ireland), 2R. 467

Maguire, Mr. J. F., *Dungarvan*
  Army Estimates — Military Education, 257, 259, 261
  Financial Statement—Ways and Means, Comm. Res. 1152
  Landlord and Tenant (Ireland), Law of, Comm. moved for, 570, 619, 623
  Tenure and Improvement of Land (Ireland), Comm. 956

Malins, Mr. R., *Wallingford*
  Army Estimates—Administration of the Army, 988
  Court of Chancery (Ireland), Comm. 526
  Courts of Justice Concentration (Site), Comm. 496
  Fire Insurance, Res. 43
  Partnership Amendment, 2R. 1296
  Thames and Isis Navigation, 223

Malmesbury, Earl of
  Dockrall, Mr., Case of, Papers moved for, 188, 193
  Public Schools, 746

Manners, Right Hon. Lord J. J. R., *Leicestershire, N.*
  Business, Public, 1204
  Courts of Justice Concentration (Site), Comm. 180
  Financial Statement—Ways and Means, Comm. Res. 1146
  Union Chargeability, 2R. 293

Marine Mutiny Bill
(*Mr. Dodson, Lord Clarence Paget, Mr. Childers*)
c. Committee*; Report *Mar* 27
  Read 3°* *Mar* 28
l. Read 1ª* (*The Duke of Somerset*) *Mar* 30
  Read 2ª* *Mar* 31
  Committee*; Report *April* 3
  Read 3ª *April* 4
  Royal Assent *April* 7 [28 *Vict.* c. 12]

Marlborough, Duke of
  District Church Tithes, 2R. 1074

Marriages (Lambourne) Bill [H.L.]
(*The Bishop of Oxford*)
l. Bill presented; read 1ª *May* 4, 1464 (No. 83)

Married Women's Property (Ireland) Bill
(*Mr. Longfield, Sir C. O'Loghlen, Mr. Leader*)
c. Read 2°* *Mar* 22 [Bill 60]
  Committee*; Report *Mar* 28
  Considered* *Mar* 29
  Read 3°* *Mar* 30
l. Read 1ª* (*The Earl of Belmore*) *Mar* 31
  Read 2ª* *May* 4 (No. 53)

Marsh, Mr. M. H., *Salisbury*
  Colonial Governors (Retiring Pensions), Leave 1517, 1519
  Financial Statement—Ways and Means, Comm. Res. 1137

Martin, Mr. P. Wykeham, *Rochester*
  Locomotives on Roads, Comm. *cl.* 1, 1062; *cl.* 4, 1067
  Navy Estimates—Scientific Departments, 732; —Wages to Artificers at Home, 949

Master and Servant
c. Select Committee appointed "to inquire into the state of the Law as regards Contracts of Service between Master and Servant, and as to the expediency of amending the same" (*Mr. Cobbett*) *April* 7, 956
And, on May 19, Committee nominated as follows :—Lord Elcho, Mr. Cobbett, Mr. Solicitor General, Sir James Fergusson, Mr. Dalglish, Mr. Gathorne Hardy, Mr. Edmund Potter, Lord Stanley, Mr. William Edward Forster, Mr. Hennessy, Mr. Roebuck, Mr. Lowe, Mr. Jackson, Mr. Algernon Egerton, Mr. Alderman Salomons, Mr. Clive, and Mr. Cox

Masters and Operatives Bill
(*Lord St. Leonards*)
l. Bill presented ; read 1ª* *May* 8 (No. 92)
Observations, Lord St. Leonards, 1571

Mayne, Sir Richard, and the Barnet Magistrates
Observations, Mr. Adderley ; Reply, Sir George Grey *April* 3, 719

Merchant Shipping Disputes Bill
(*Mr. Denman, Mr. Clay*)
c. Bill ordered ; read 1° *Mar* 24, 268 [Bill 90]

Metalliferous Mines, 1865, Bill
(*Lord Kinnaird*)
l. Bill presented ; read 1ª *Mar* 30, 479 (No. 49)

Metropolis—Park Lane
Question, Mr. Scully ; Answer, Mr. Cowper *April* 7, 889

Metropolis Sewage and Essex Reclamation Bill
c. As amended, considered ; further consideration deferred *April* 7, 881
Bill further considered and read 3° *April* 25, 1000

Metropolitan Dwellings, Destruction of, by Railways, &c.
Amendment of Standing Order No. 191 moved (*The Earl of Shaftesbury*), 543
After debate, Motion withdrawn *Mar* 31
Casual Poor, Question, The Marquess Townshend ; Answer, Earl Granville *Mar* 21, 3

Metropolitan Houseless Poor Bill
(*Mr. C. P. Villiers, Viscount Enfield*)
c. Motion, "That the Bill be now read 2°" (*Mr. C. P. Villiers*), 533 [Bill 83]
After debate, Motion agreed to
Read 2° *Mar* 30
Committee* ; Report *April* 5, 756
As amended considered *April* 6, 859
Read 3°* *April* 24
l. Read 1ª* (*Earl De Grey*) *April* 27 (No. 70)

Metropolitan Main Drainage Extension Bill (*Lord Stanley of Alderley*)
l. Read 2ª* *May* 1 (No. 40)
Committee* ; Report *May* 2
Read 3ª* *May* 4

Metropolitan Toll Bridges Bill
(*Mr. Alderman Salomons, Mr. Locke, Mr. Jackson*)
c. Motion, "That the Bill be now read 2°" (*Mr. Alderman Salomons*) *April* 26, 1053
Read 2° after debate, and committed to a Select Committee *April* 26 [Bill 47]
Instruction, "to inquire into the existing Tolls on Roads and Bridges within the Metropolis, and the best means of abolishing them" (*Mr. Ayrton*)
And, on May 10, Select Committee nominated as follows :—Mr. Alderman Salomons, Mr. Cubitt, Mr. Jackson, Sir Baldwin Leighton, Mr. Ayrton, Mr. Charles Turner, Sir John Shelley, Mr. Liddell, Mr. Locke King, Mr. Stanhope, Mr. Adam, Sir William Jolliffe, Mr. Cowper, Lord John Manners, Mr. Hanbury, and Mr. Tite

Middlesex Industrial Schools Bill
After debate, Bill committed to a Select Committee *Mar* 30, 486

MILES, Sir W., *Somersetshire, E.*
Greenock Railway, Re-Comm. 1200
Locomotives on Roads, Comm. *cl.* 2, 1063 ; *cl.* 4, 1067
Police Superannuation, Comm. *add. cl.* 1072
Union Chargeability, 2R. 336

Militia Pay Bill
(*The Marquess of Hartington*)
c. Bill ordered *Mar* 21, 50

Militia, The 3rd Middlesex
Question, Mr. Denman ; Answer, The Marquess of Hartington *May* 8, 1598

MILLER, Mr. T. J., *Colchester*
Reformatory Children, Exhibition of, 1001

MILLS, Mr. A., *Taunton*
Courts of Justice Concentration (Site), Comm. 499
Easter Recess, The, 202
Parliamentary Papers, Digest of, Comm. moved, 221
Workhouse Nurses, 1533

Mines, Condition of
Question, Mr. Kinnaird ; Answer, Sir George Grey *May* 8, 1599

MOFFATT, Mr. G., *Honiton*
Ways and Means, Comm. Res. Tea, Amendt. 1471, 1477, 1480

MONCREIFF, Right Hon. J., *see* ADVOCATE, The LORD

MONSELL, Right Hon. W., *Limerick Co.*
Ireland — Railway System, 673; Address moved, 896, 925;—Titles to Land, 888
Landlord and Tenant (Ireland), Law of, Comm. moved for, 616, 617
Roman Catholic Oath, Leave, 24

MONTAGU, Lord R., *Huntingdonshire*
Army Estimates—Works, Buildings, &c. 140
Stonor, Mr., Appointment of, 563, 567

MONTGOMERY, Sir G. G., *Peebleshire*
Volunteer Sergeant Instructors, Allowances to, 86

MOOR, Mr. H., *Brighton*
Partnership Amendment, 2R. 1286
Police Superannuation, Comm. *cl.* 5, 1071

MOORE, Mr. C., *Tipperary*
Landlord and Tenant (Ireland), Law of, Comm. moved for, 597

Morocco, Jews in
Question, Mr. H. B. Sheridan; Answer, Mr. Layard *April* 27, 1082

Mortality among Children in Norfolk
Question, Mr. Bentinck; Answer, Sir George Grey *April* 24, 958

Mortgage Debentures Bill
(*Lord Naas, Colonel Greville*)
c. Considered in Committee on Re-Comm.—R.P. *Mar* 28, 455
Committee *; Report *April* 27 [Bill 72]
Considered * *May* 3 [Bill 119]

Mortgage Debentures [Stamps]
Considered * *April* 25; Reported * *April* 26

MOWBRAY, Rt. Hon. J. R., *Durham City*
Mutiny, Comm. *cl.* 6, 366
Qualification for Offices Abolition, 3R. 185

MURRAY, Mr. W., *Newcastle-under-Lyme*
Bankruptcy Act (1861), 958

Mutiny Bill (*Mr. Dodson, The Marquess of Hartington, The Lord Advocate*)
c. Committee *; Report *Mar* 27, 363
Considered * *Mar* 28
Read 3° * *Mar* 29
l. Read 1ª * (*Earl De Grey*) *Mar* 30
Read 2ª * *Mar* 31
Committee *; Report *April* 3
Read 3ª * *April* 4
Royal Assent *April* 7 [28 *Vict.* c. 11]

NAAS, Right Hon. Lord, *Cockermouth*
Army Estimates—Works, Buildings, &c. 255
Ireland—Military occupation of the Curragh, 1566, 1568
Landlord and Tenant (Ireland), Law of, Comm. moved for, 626
[*cont.*

NAAS, Right Hon. Lord—*cont.*
Sheep, &c. Protection (Ireland), 2R. 465
Union Officers (Ireland) Superannuation, Comm. *cl.* 1, 266

National Gallery — Mr. Frith's "Derby Day"
Question, Mr. Gregory; Answer, Mr. T. G. Baring *May* 1, 1238

Navy
The "Achilles," Question, Mr. H. Baillie; Answer, Lord C. Paget *April* 27, 1081
Carriage of Treasure, Question, Mr. Hanbury Tracy; Answer, Lord C. Paget *May* 2, 1316
Chaplains' Quarterly Report, Question, Mr. Hanbury Tracy; Answer, Mr. Childers *Mar* 30, 488
Dockyard Accommodation, Question, Sir S. Northcote; Answer, Mr. Chancellor of the Exchequer *May* 8, 1603
Expedition to the North Pole, Question, Mr. W. O. Stanley; Answer, Lord Clarence Paget *Mar* 31, 563
Rank of Master, Question, Sir John Pakington; Answer, Lord Clarence Paget *Mar* 31, 567

Nazareth—Church at
Question, Mr. Hanbury; Answer, Mr. Layard *Mar* 23, 79

NEATE, Mr. C., *Oxford City*
Bank Notes Issue, Comm. 1258; *add. cl.* 1272
Greenock Railway, Re-Comm. 1199
Inns of Court, 2R. 1049
Metropolitan Houseless Poor, Comm. *add. cl.* 759
Office of Works, Comm. moved for, 15
Thames and Isis Navigation, 230
Union Chargeability, 2R. 332

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Partnership Amendment, 2R. 1297
Pope, Rumoured residence of the, in England, 568
Qualification for Offices Abolition, 3R. 184, 186
Roman Catholic Oath, Leave, 31
Union Chargeability, 2R. 353
Ways and Means, Comm. Res. Tea, 1482
Westminster Palace Crypt, 1468

Newington Green and Hornsey Road
Question, Mr. Hanbury; Answer, Mr. T. Baring *May* 1, 1239

New Members Sworn
Mar 21. Lord Charles Bruce, *Wilts* (*Northern Division*)
April 3. Thomas Dyke Acland the younger, esq., *Devon* (*Northern Division*)
April 6. James Bourne, Esq., *Evesham*
April 24. Hon. Percy Egerton Herbert, *Salop* (*Southern Division*)
William Patrick Adam, esq., *Clackmannan and Kinross*
Thomas Bayley Potter, esq., *Rochdale*
George Young, esq., *Wigton, &c., Burghs*
May 4. Tristram Kennedy, esq., *Louth*

New Writs Issued
Mar 22—*For* Devon (Northern Division) *v.* James Wentworth Buller, esq, deceased
Mar 30—*For* Louth, *v.* Richard Montesquieu Bellew, esq., Commissioner of Poor Laws in Ireland
Mar 30—*For* Evesham, *v.* Sir Henry Pollard Willoughby, bart., deceased
April 5—*For* Salop (Southern Division), *v.* Viscount Newport, now Earl of Bradford
April 7—*For* Rochdale, *v.* Richard Cobden, esq., deceased
April 7—*For* Wigton District of Burghs, *v.* Sir William Dunbar, bart., Commissioner of Auditing the Public Accounts
April 7—*For* Clackmannan and Kinross Shires, *v.* William Patrick Adam, esq., Commissioner of the Treasury
May 4—*For* Lambeth, *v.* William Williams, esq., deceased

New Zealand
Prize Money, Question, Mr. Kekewich; Answer, The Marquess of Hartington *Mar* 23, 81
Renewal of Hostilities in, Question, Colonel North; Answer, Mr. Cardwell *April* 6, 785
Troops in, Question, General Peel; Answer, The Marquess of Hartington *Mar* 23, 82
War in, Question, Mr. Western; Answer, Mr. Cardwell *April* 7, 893

North, Colonel J. S., *Oxfordshire*
Army Estimates—Chelsea and Kilmainham Hospitals, 854, 857
Army—Recruiting, 372
Mutiny, Comm. *cl.* 6, 365
New Zealand—Renewal of hostilities in, 785
Ways and Means, Comm. Res. Tea, 1488

Northcote, Sir S. H., *Stamford*
Army Estimates, 853;—Administration of the Army, 965
Army—The War Office, 202
Bank Notes Issue, Comm. 1263; *cl.* 8, 1268, 1269
Canada—Defences of, Papers moved for, 848
Education—School Grants, 1465
India—The Lucknow Booty, 1601
Navy—Dockyard Accommodation, 1603
Ways and Means, Report, Exchequer Bonds, 1709

O'Brien, Sir P., *King's Co.*
Bankruptcy and Insolvency (Ireland) Act Amendment, Lords Amendts. 787
Qualification for Offices Abolition, 3R. 183

O'Conor Don, The, *Roscommon Co.*
Landlord and Tenant (Ireland), Law of, Comm. moved for, 606
Sheep, &c. Protection (Ireland), 2R. 466

O'Donoghue, The, *Tipperary*
Church Establishment (Ireland), Res. 392
Customs, Out Door Officers of, Comm. moved for, 1217
Tories, Robbers, and Rapparees (Ireland), 2R. 755

O'Loghlen, Sir C., *Clare Co.*
Bankruptcy and Insolvency (Ireland) Act Amendment, Lords Amendts. Amendt. 785
County Voters Registration (Ireland), 2R. 266
Court of Chancery (Ireland), Comm. 519
Locomotives on Roads, Comm. *cl.* 8, 1070
Mutiny, Comm. *cl.* 55, 369
Railway Travelling (Ireland), 2R. 57
Sheep and Cattle, 2R. 470
Union Officers (Ireland) Superannuation, Comm. *cl.* 3, 268
Utilization of Sewage and Land Reclamation (Ireland), Comm. Amendt. 6, 7

Onslow, Mr. G., *Guildford*
Russia—Epidemic in, 889

Open Spaces (Metropolis)
c. Report of Select Committee *April* 3
(*Parl. P.* No. 178)

Osborne, Mr. R. B., *Liskeard*
Borough Franchise Extension, 2R. 1440

Oxford, Bishop of
Russia—Epidemic in, 744, 879

Oxford University (Vinerian Foundation) Bill (*Mr. Attorney General, Mr. Chancellor of the Exchequer, Mr. Neate*)
c. Bill ordered; read 1° *April* 7, 957 [Bill 107]
Read 2° * *April* 24
Committee *; Report *April* 27
Considered * *May* 1
Read 3° * *May* 2
l. Read 1ª * (*The Earl of Derby*) *May* 4 (No. 79)

Oyster Fishery
Question, Mr. Cave; Answer, Mr. Milner Gibson *April* 3, 672

Paget, Vice-Admiral Lord C. E. (Secretary of the Admiralty), *Sandwich*
Greenwich Hospital, Leave, 1012
Navy Estimates—Admiralty Office, 726, 727;—Coast Guard Service, 728, 729, 730;—Scientific Departments, 731;—Wages to Artificers at Home, 733, 953;—Miscellaneous Services, 954, 955;—Half Pay, 997
Navy—Rank of Master, 568;—Board of Admiralty, 691;—The "Achilles," 1081;—Carriage of Treasure, 1307
North Pole, Expedition to the, 563
Supply—Report, 1037, 1038

Pakington, Right Hon. Sir J., *Droitwich*
Army Estimates—Works, Buildings, &c. 248, 253, 254
Canada—Defences of, Papers moved for, 834
Colonial Governors (Retiring Pensions), Leave, 1519
Education—Endowments for, Minute of Council, 1536
Navy Estimates—Admiralty Offices, 727;—Coast Guard Service, 728, 729
Navy—Rank of Master, 567;—Board of Admiralty, 697
Russia—Epidemic in, 784

PALK, Sir L., *Devonshire, S.*
Education—Endowments for, Minute of Council, 1537

PALMER, Sir R., *see* ATTORNEY GENERAL The

PALMERSTON, Right Hon. Viscount (First Lord of the Treasury), *Tiverton*
Adjournment of the House, 894
Army Estimates—Works, Buildings, &c. 170;—Chelsea and Kilmainham Hospitals, 265
Church Establishment (Ireland), Res. 455
Civil Service Estimates, 737, 743, 851
Cobden, Mr., The late, 673
Easter Recess, The, 202
Landlord and Tenant (Ireland), Law of, Comm. moved for, 618, 619
Navy Estimates — Naval Establishments at Home, 732
Pope, Rumoured residence of the, in England, 569
Postmaster General, The, 895
Qualification for Offices Abolition, 3R. 182
Supply, Report, 361;—Civil Service Estimates, 851

Parliamentary Papers—Digest of
Amendt. on Committee of Supply *Mar* 24, To leave out from "That" and add "it is expedient that a digest or abridgment of Parliamentary Papers and Blue Books be provided from time to time, and consolidated into one or more volumes at the close of each Session, under the authority of the Statistical Department of the Board of Trade, for the convenience of Members and for the diffusion of information among the public at large" (*Mr. William Ewart*), 215
Question proposed, "That the words &c.;" after debate, Amendt. withdrawn

Parochial Medical Relief
Question, Sir John Shelley; Answer, Mr. C. P. Villiers *Mar* 31, 568

Partnership Amendment Bill
(*Mr. Dodson, Mr. Milner Gibson, Mr. Hutt*)
Motion, "That the Bill be now read 2°" (*Mr. Milner Gibson*), 1273 [Bill 52]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. J. Peel*)
Question proposed, "That 'now,' &c."
After long debate, Question put, A. 126, N. 39; M. 87; Main Question agreed to; Bill read 2°; Division List, Ayes and Noes *May* 1, 1273

PATTEN, Colonel J. W., *Lancashire, N.*
Industrial Schools, Suspension of Standing Order, 487
Metropolis Sewage and Essex Reclamation, Consid. 887
Union Chargeability, 670
Utilization of Sewage and Reclamation of Land (Ireland), Comm. 7

PEACOCKE, Mr. G. M. W., *Maldon*
Army—Ordnance Experiments, 672
Inclosure, Comm. 627, 628
Wimbledon Common, 2R. 778

PEEL, Right Hon. Sir R. (Chief Secretary for Ireland) *Tamworth*
Casey, Alexander, Property of the late, 371
Constabulary Force (Ireland) Act Amendment, Leave, 1168; 2R. 1513, 1514
County Voters Registration (Ireland), 2R. 265, 266
Ireland—County Down Assizes—Chief Justice Monahan, 197, 198, 201;—Deep Sea Fishery, 670;—Music at the Dublin Exhibition, 1470, 1471
Sheep, &c. Protection (Ireland), 2R. 461, 463, 469
Tories, Robbers, and Rapparees (Ireland), 2R. 755
Union Officers (Ireland) Superannuation, Comm. *cl.* 1, 267

PEEL, Right Hon. Lt.-Gen. J., *Huntingdon*
Army Estimates—Works, Buildings, &c. 109; Adj. moved, 852; — Administration of the Army, 959
Canada—Defences of, Papers moved for, 842, 845, 848
New Zealand—Troops in, 82

PEEL, Right Hon. F. (Joint Secretary to the Treasury), *Bury*
Civil Service Estimates, 718, 733, 735, 738
Customs, Out Door Officers of, 669
Drainage Act (Ireland), 1317
Ireland—Military occupation of the Curragh, 1567, 1568
Isle of Man Disafforestation (Compensation), 3R. 1521
Office of Works, Comm. moved for, 16
Parliamentary Papers, Digest of, Comm. moved for, 219
Post Horse Duty, Exemption from, 895
Postmaster General, Office of, Comm. moved for, 382
Post Office Officials, 561
Probate, Court of, 86
Scotland—Postal System of Fife, 370

PEEL, Mr. J., *Tamworth*
Partnership Amendment, 2R. Amendt. 1281

PERCY, Earl, *Northumberland N.*
Mayne, Sir R., and the Barnet Magistrates, 722

Perth Provisional Order Confirmation Bill (*The Lord Privy Seal*)
l. Read 2ª * *Mar* 23 (No. 38)
Committee *; Report *Mar* 24
Read 3ª * *Mar* 27
Royal Assent *April* 7 [28 *Vict. c.* 7]

PETO, Sir S. M., *Finsbury*
Charitable Trusts Fees, 2R. Amendt. 1029
Navy—Board of Admiralty, 678, 697
Navy Estimates—Admiralty Office, 726
Union of Benefices Act Amendment, Leave, 1023

Pier and Harbour Orders Confirmation Bill (*Mr. Dodson, Mr. M. Gibson, Mr. Hutt*)
c. Resolution in Committee ; Bill ordered *May* 5, 1572

Pilotage Order Confirmation Bill (*Mr. Milner Gibson, Mr. Hutt*)
c. Committee * ; Report *Mar* 30 [Bill 81]
Read 3° * *April* 7 [Bill 131]
l. Read 1ª * (*The Lord Stanley of Alderley*) *April* 27 (No. 67)
Read 2ª * *May* 2

Pilotage Order Confirmation (*Mr. Dodson Mr. Milner Gibson, Mr. Hutt*)
c. Resolution in Committee ; Bill ordered *May* 5, 1572

Police Superannuation Bill (*Mr. Baring, Sir George Grey*)
c. Bill ordered ; read 1° *April* 7, 956 [Bill 109]
Read 2° * *April* 24
Committee ; Report *April* 26, 1071
Considered * *April* 27
Committee * ; Report *May* 5
Considered * *May* 5
Read 3° * *May* 8

POLLARD-URQUHART, Mr. W., *Westmeath Co.*
Church Establishment (Ireland), Res. 455
Land Debentures (Ireland), Comm. *cl.* 11, 754
Parliamentary Papers, Digest of, Comm. moved for, 222
Spirit Duties (Ireland), Comm. moved for, 1218
Ways and Means, Comm. Res. Tea, 1497

Poor Law Unions—Auditors of Accounts
Question, Mr. Liddell ; Answer, Mr. C. P. Villiers *April* 28, 1203

Pope, Rumoured Residence of the, in England
Question, Mr. Newdegate ; Answer, Viscount Palmerston *Mar* 31, 568

Post-horse Duty, Exemption from
Question, Mr. Cave ; Answer, Mr. Peel *April* 7, 895

Postmaster General, Office of
Motion, "That a Select Committee be appointed, to inquire whether the practice of appointing a Peer of the Realm exclusively to the office of Post Master General is one which is directed or required by any legal enactment or constitutional principle, and whether the continuance of such practice is of advantage to the Public Service" (*Mr. Darby Griffith*) *Mar* 28, 378
After debate, Motion withdrawn
Question, Mr. Darby Griffith ; Answer, Viscount Palmerston *April* 7, 895

Post Office Officials
Question, Mr. Scully ; Answer, Mr. Peel *Mar* 31, 560

POWELL, Mr. F. S., *Cambridge*
Charitable Trusts Fees, 2R. 1032
Civil Service Estimates, 740, 742
Exeter, Diocese of, 932, 933
Ways and Means, Comm. Res. Fire Insurance, 1508

POWIS, Earl of
Public Schools, 2R. 662, 749

Prisons (Scotland) Act Amendment Bill (*Lord Advocate, Sir G. Grey, Sir W. Dunbar*)
c. Bill ordered ; read 1° * *Mar* 24 [Bill 91]
Read 2° * *April* 3

Private Bill Costs Bill (*Lord Houghton*)
l. Read 2ª after debate *Mar* 23, 75 (No. 31)
Considered in Committee *Mar* 27, 273
Amendments reported
New Clause moved (*Lord Redesdale*) ; after debate, withdrawn *Mar* 30, 483 (No. 51)
Read 3ª and passed *April* 6, 767
Royal Assent *May* 26 [28 *Vict.* c. 27]

Private Bills [LORDS]
Orders made thereon, 767

Private Bills—Standing Order No. 191 *—Displacement of London Poor*
On Motion of *The Lord Chancellor*, Standing Order No. 191 amended *April* 7, 873

Probate, Court of
Question, Mr. John Locke ; Answer, Mr. Peel *Mar* 23, 86

PROBY, Right Hon. Lord (Comptroller of the Household), *Wicklow Co.*
United States — Assassination of President Lincoln, Answer to Address, 1471

Procurators (Scotland) Bill (*Lord Advocate, Sir G. Grey, Sir W. Dunbar*)
c. Bill ordered *Mar* 21, 49 [Bill 87]
Read 1° * *Mar* 23
Read 2° * *Mar* 31

Public Accounts
Select Committee, Mr. Stansfeld added *April* 3

Public House Closing Act (1864) *Amendment Bill*
Question, Mr. Cox ; Answer, Sir George Grey *Mar* 30, 488

Public House Closing Act (1864) Amendment Bill (*Mr. Cox, Mr. Goschen*)
c. Motion, "That the Bill be now read 2°" (*Mr. Cox*) *April* 6, 863 [Bill 22]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Lawson*)
After short debate, Amendt. withdrawn ; Main Question agreed to
Read 2° *April* 6

Public Offices (Site and Approaches) Bill (*Mr. Cowper, Sir Charles Wood*) [Bill 56]
c. Select Committee appointed *Mar* 20; Committee nominated *Mar* 23, as follows:—Mr. Cowper, Lord John Manners, Sir John Shelley, and Mr. Baillie Cochrane, and three Members to be added by the Committee of Selection
Report * *April* 3 [Bill 99]
Committee *; Report *April* 6
Read 3° * *April* 7
l. Read 1ª * (*Lord Stanley of Alderley*) *April* 27 (No. 68)

Public Schools Bill (*The Earl of Clarendon*)
l. Petitions from University of Oxford and Mercers Company, presented (*The Earl of Derby*), 630
Moved, "That the Bill be now read 2ª" (*The Earl of Clarendon*) *April* 3, 632
After long debate, Motion agreed to; Bill read 2ª (No. 32)
Petitions presented (*The Marquess of Salisbury*) *April* 4, 744
Bill referred to a Select Committee *May* 2, 1304
And, on May 4, Committee nominated as follows:—His Royal Highness the Prince of Wales, Ld. President, D. Marlborough, E. Derby, E. Devon, E. Stanhope, E. Clarendon, E. Carnarvon, E. Powis, E. Harrowby, V. Stratford de Redcliffe, V. Eversley, L. Bp. London, L. Lyttelton, L. Houghton; And, on May 5, Lord Wrottesley added
All Petitions, with the exception of the Petition of Cultivators of Natural Science (presented on Tuesday last), referred to the Committee, with Leave to the Petitioners praying to be heard by Counsel against the Bill to be heard as desired (*The Earl of Ellenborough*)

Pugh, Mr. D., *Carmarthenshire*
Union Chargeability, 2R. 316

Qualification for Offices Abolition Bill (*Mr. Hadfield, Sir Morton Peto, Mr. Baines*)
c. Motion, "That the Bill be now read 3°" (*Mr. Hadfield*) *Mar* 23, 181
Debate arising on a point of order; Motion, "That this House do now adjourn" (*Colonel Dunne*); A. 72, N. 141; M. 69; Question again proposed
After further debate, Amendt. to leave out "now," and add "upon this day six months" (*Mr. Newdegate*), 186
After long debate, Question put, "That 'now,' &c.;" A. 130, N. 56; M. 74
Read 3° and passed [Bill 62]
l. Read 1ª * (*Lord Houghton*) *Mar* 24 (No. 46)
Moved, "That the Bill be now read 2ª" (*Lord Houghton*) *May* 1, 1228
Amendt. to leave out "now" and insert "this day six months" (*The Earl of Derby*)
On Question, That "now" stand part of the Motion? Cont. 49, Not-Cont. 72; M. 23; Bill to be read 2ª on this day six months; List of Cont. and Not-Cont., 1236

Railway Clauses Bill (*Mr. Milner Gibson, Mr. Hutt*)
c. Bill ordered; read 1° * *April* 25, 1040 [Bill 114]

Railway Travelling (Ireland) Bill (*Sir Colman O'Loghlen, Colonel Dickson, Major Gavin, Mr. Stacpoole*)
c. Motion, "That the Bill be now read 2°" (*Sir C. O'Loghlen*) *Mar* 22, 51 [Bill 66]
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Blake*)
Question proposed, "That the words, &c."
After debate, Question put, "That 'now', &c.;" A. 39, N. 42; M. 3; words added
Main Question, as amended, put, and agreed to; second reading put off for six months

Ravensworth, Lord
Johnson, Colonel, Case of, 1532
Sheep and Cattle, 2R. 1458
United States — Assassination of President Lincoln, 1451

Record of Title (Ireland) Bill [H.L.] (*The Lord Chancellor*)
l. Bill presented; read 1ª * *April* 6 (No. 63)
Read 2ª after short debate *May* 4, 1453

Redesdale, Lord (Chairman of Committees)
Courts of Justice Building, 2R. 1192; Comm. Amendt. 1308
Courts of Justice Concentration (Site), 3R. *cl.* 14, Amendt. 1584; *add. cl.* 1585, 1587, 1588
Destruction of Metropolitan Dwellings by Railways, 552
Edmunds, Leonard, Resignation of, Report of Select Comm. Res. 1573
Education — Revised Code — Examination of Children, 879
Private Bill Costs, 2R. 76; Report; *add. cl.* 483, 484
Standing Order No. 191 — Displacement of London Poor, 875

Reformatory Children, Exhibition of
Question, Mr. Taverner Miller; Answer, Sir George Grey *April* 25, 1001

Roads and Bridges (Scotland) Bill (*Lord Elcho, Sir G. Montgomery, Sir R. Anstruther*)
c. Read 1° * *April* 3, 743 [Bill 101]
Read 2° * *April* 25

Robertson, Mr. D., *Berwickshire*
Locomotives on Roads, Comm. *cl.* 2, 1064

Robertson, Mr. H., *Shrewsbury*
Navy—Board of Admiralty, 689
Railway Travelling (Ireland), 2R. 66

ROEBUCK, Mr. J. A., *Sheffield*
Borough Franchise Extension, 2R. 1393, 1449
Chemists and Druggists (No. 1), 2R. 476
Greenock Railway, Re-Comm. 1197
India—Azeem Jah (Signatures to Petitions), Report, Res. 1606, 1609
Inns of Court, 2R. 1045
Ionian Islands—Pensions to Officers, 376, 377, 378
Landlord and Tenant (Ireland), Law of, Comm. moved for, 613, 617
Public House Closing Act Amendment, 2R. 868
Railway Travelling (Ireland), 2R. 62
Saffron Hill Murder, 84
Wimbledon Common, 2R. 778

Roman Catholic Oath Bill
(*Lord J. Browne, Sir C. O'Loghlen, Mr. Hennessy*)
c. Act considered in Committee; Bill ordered *Mar* 21, 24
Read 1° * *Mar* 21 [Bill 86]

ROSE, Mr. Ald. W. A., *Southampton*
Canada—Defences of, Papers moved for, 828
Customs, Out Door Officers of, Comm. moved for, 1208
Landlord and Tenant (Ireland), Law of, Comm. moved for, 605
Partnership Amendment, 2R. 1297
Union of Benefices Act Amendment, Leave, 1016
Wimbledon Common, 2R. 779

Rupert's Land
Question, Mr. Watkin; Answer, The Attorney General *May* 3, 1601

RUSSELL, Earl (Secretary of State for Foreign Affairs)
Abyssinia—British Subjects in, 1078
Dockrall, Mr., Case of, Papers moved for, 192
United States—Relations with the, 68;—Assassination of President Lincoln, 1073, 1074; Address moved, 1219

RUSSELL, Sir W., *Norwich*
Metropolis Sewage and Essex Reclamation, Consid. 887; *add. cl.* 1000

Russia
Epidemic in, Question, The Bishop of Oxford; Answer, Earl Granville *April* 4, 744:—Question, Sir John Pakington; Answer, Sir George Grey *April* 6, 784:—Question, The Bishop of Oxford; Answer, Earl Granville *April* 7, 879:—Question, Mr. Onslow; Answer, Sir George Grey *April* 7, 889

Saffron Hill Murder—Case of Pelizzioni
Question, Mr. Roebuck; Answer Sir George Grey *Mar* 23, 84:—Question, Lord Houghton; Answer, Earl Granville *Mar* 30, 484

ST. GERMANS, Earl of (Lord Steward of the Household)
Bankruptcy and Insolvency (Ireland) Act Amendment, Report, 274; Commons Amendts. 1305

ST. LEONARDS, Lord
Bankruptcy and Insolvency (Ireland) Act Amendment, Commons Amendts. 1306
Cartoons at Hampton Court Palace, 556, 558
Courts of Justice Building, 2R. 1181; Comm. 1309; *cl.* 16, 1314; 3R. *cl.* 16, Amendt. 1578, 1580, 1581, 1582
Destruction of Metropolitan Dwellings by Railways, 553, 554, 555
Record of Title (Ireland), 2R. 1456
Strikes and Lock Outs, 1R. 1575

SALISBURY, Marquess of
Public Schools, 744

Salmon Fishery Acts
Question, Mr. Knight; Answer, Mr. T. G. Baring *April* 7, 888

Salmon Fishery Act (1861) Amendment Bill (*Mr. Baring, Sir George Grey*)
c. Bill ordered *April* 25, 1024
Read 1° * *April* 26 [Bill 117]

SALOMONS, Mr. Ald. D., *Greenwich*
Bank Notes Issue, Comm. 1255; *cl.* 5, Amendt. 1265; *cl.* 8, 1266; *add. cl.* 1269, 1272
Civil Service Estimates, 717
Metropolitan Toll Bridges, 2R. 1053
Navy Estimates—Scientific Departments, 731; —Wages to Artificers at Home, 948

SALT, Mr. T., *Stafford*
Bank Notes Issue, Comm. *cl.* 8, 1268

Schleswig-Holstein, Duchies of
Question, Sir Harry Verney; Answer, Mr. Layard *April* 7, 925

SCHOLEFIELD, Mr. W., *Birmingham*
India—Lucknow Prize Money, 371
Partnership Amendment, 2R. 1285

Science and Art Collections
Observations, Mr. Gregory; Reply, Mr. W. F. Cowper; debate thereon *May* 5, 1537

SCLATER-BOOTH, Mr. G., *Hampshire, N.*
Financial Statement—Ways and Means, Comm. Res. 1145
Union Chargeability, 2R. 341

Scotland—Port Patrick Harbour
Question, Mr. Torrens; Answer, Mr. Milner Gibson *April* 6, 783

Scotland—Postal System of Fife
Question, Sir Robert Anstruther; Answer, Mr. Peel *Mar* 28, 370

Scourfield, Mr. J. H., *Haverfordwest*
Turnpike Tolls Abolition, Leave, 1524
Union Chargeability, 2R. 314

Scully, Mr. V., *Cork Co.*
Court of Chancery (Ireland), Comm. 523
Flogging in Gaols, 77
Ireland—Railway System, Address moved, 912
Land Debentures (Ireland), Comm. *cl.* 7, 752; *cl.* 11, 754, 755
Landlord and Tenant (Ireland), Law of, Comm. moved for, Amendt. 623, 625
Metropolis—Park Lane, 889
Post Office Officials, 560
Sheep, &c. Protection (Ireland), 2R. Amendt. 465
Tories, Robbers, and Rapparees (Ireland), 2R. 757
Union Chargeability, 2R. 315

Seely, Mr. C., *Lincoln*
Navy—Board of Admiralty, 704
Navy Estimates—Wages of Artificers at Home, Amendt. 951, 953

Select Committees
Resolution (*Earl Stanhope*) *May* 5, 1531

Selwyn, Mr. C. J., *Cambridge University*
Charitable Trusts Fees, 2R. 1030
Courts of Justice Concentration (Site), Comm. 178

Sewage Utilization Bill
(*Lord Robert Montagu, Sir FitzRoy Kelly, Mr. Ferrand, Mr. Hibbert*)
c. Report* *April* 6 [Bill 4]
Committee*; Report *April* 27 [Bill 105]
Considered* *May* 1
Read 3°* *May* 2
l. Read 1ª* (*Lord Ravensworth*) *May* 4 (No. 80)

Seymour, Mr. H. D., *Poole*
Colonial Bishops, 783
Courts of Justice Concentration (Site), Comm. 180, 495
India — Labour Ordinance, 236, 240;—The Budget, 891;—Expedition to Bhootan, 936, 941
Science and Art Collections, 1563
State Papers, 789

Shaftesbury, Earl of
Destruction of Metropolitan Dwellings by Railways, Standing Order No. 191, Amendt. 543, 555
Dockrall, Mr., Case of, Papers moved for, 191

Shannon River
Select Committee appointed *April* 27; And, on *May* 18, Committee nominated as follows:—Colonel French, Mr. Laird, Mr. Peel, Mr. Ormsby Gore, Captain Jervis, Lord Dunkellin, The O'Conor Don, Mr. Cox, Mr. Agar-Ellis, Mr. Dawson-Damer, Sir Edward Dering, Mr. Pollard-Urquhart, Mr. D. Fortescue, Lord Naas, and Colonel Vandeleur

Sheep and Cattle Bill
(*Mr. H. Fenwick, Mr. Shafto, Sir H. Williamson*)
c. Read 2° after debate *Mar* 29, 469 [Bill 57]
Committee*; Report *Mar* 30
Read 3°* *Mar* 31
l. Read 1ª* *April* 3 (*Lord Ravensworth*)
Read 2ª after debate *May* 4, 1458 (No. 58)

Sheep, &c., Protection (Ireland) Bill
(*Sir F. Heygate, Mr. Leader, The O'Conor Don*)
c. Motion, "That the Bill be now read 2°" (*Sir F. Heygate*) *Mar* 29, 457
Amendt. to leave out "now" and add "upon this day six months" (*Mr. Scully*); Question proposed, "That 'now,' &c.;" after debate, Question agreed to
Bill read 2° *Mar* 29 [Bill 43]

Shelley, Sir J. V., *Westminster*
Chelsea Bridge Toll Abolition, 2R. 1301, 1302, 1303
Chemists and Druggists (No. 1), 2R. 473
Chemists and Druggists (No. 2), Leave, 46
Civil Service Estimates, 736
Courts of Justice Concentration (Site), Comm. 180, 492
Drake, Mr., Case of the late, 487
Inclosure, 2R. 541
Locomotives on Roads, Comm. *cl.* 2, Amendt. 1064; *cl.* 1, 1071
Metropolitan Toll Bridges, 2R. 1059
Parochial Medical Relief, 568
Public House Closing Act Amendment, 2R. 868
Ways and Means, Comm. Res. Tea, 1495

Sheridan, Mr. H. B., *Dudley*
Financial Statement—Ways and Means, Comm. Res. 1139
Fire Insurance, Res. 35, 44
Morocco—The Jews in, 1083
Ways and Means, Comm. Res. Fire Insurance, 1505, 1511

Small Benefices (Ireland) Act (1860) Amendment Bill
(*Sir Hugh Cairns, Mr. Whiteside*)
c. Read 2° after debate *Mar* 22, 50 [Bill 13]
Committee*; Report *Mar* 29
Considered* *Mar* 31
Read 3°* *April* 3
l. Read 1ª* (*The Lord Archbishop of Dublin*) *April* 4 (No. 61)

Smith, General Sir J. M. F., *Chatham*
Army Estimates—Works, Buildings, &c. 146, 243, 253;—Administration of the Army, 989
Canada—Defences of, Papers moved for, 829
Navy—Board of Admiralty, 709
Navy Estimates—Wages to Artificers at Home, 946

Smith, Margaret, or Swanson, Case of
Question, Mr. Waldegrave-Leslie; Answer, Sir George Grey *Mar* 23, 84

Smith, Mr. Augustus, *Truro*
Civil Service Estimates, Amendt. 717, 718, 734

[*cont.*

Smith, Mr. Augustus—*cont.*
Education—Endowments for, Minute of Council, 1536
Ireland—Military occupation of the Curragh, 1570
Isle of Man Disafforestation (Compensation), 3R. Amendt. 1520, 1521
Navy Estimates—Scientific Departments, 730
Office of Works, Comm. moved for, 8

Smith, Mr. J. B., *Stockport*
Canada—Defences of, Papers moved for, 824
Financial Statement—Ways and Means, Comm. Res. 1145 ;—Tea, 1240, 1242

Smollett, Mr. P. B., *Dumbartonshire*
India Office, Address moved, 1368

Solicitor General, The (Sir R. P. Collier), *Plymouth*
Partnership Amendment, 2R. 1293

Somerset, Duke of (First Lord of the Admiralty)
Colonial Naval Defence, 2R. 272
Courts of Justice Concentration (Site), 3R. *add. cl.* 1588

Speaker, The (Right Hon. J. E. Denison), *Nottinghamshire, N.*
Drainage, &c. of Lands (Ireland), 2R. 181
Education—Endowments for, Minute of Council, 1536, 1537
Ionian Islands—Pensions to Officers, 373, 374, 376, 377
Ireland—County Down Assizes—Chief Justice Monahan, 197
Landlord and Tenant (Ireland), Law of, Comm. moved for, 619
Local Government Supplemental, Comm. 1034
Qualification for Offices Abolition, 3R. 182, 183
Stonor, Mr., Appointment of, 567
Supply, Report, Res. 1, 359 ; Res. 9, 360, 362
Tenure and Improvement of Land (Ireland), Comm. 956

Stacpoole, Captain W., *Ennis*
Drainage Act (Ireland), 1317
Railway Travelling (Ireland), 2R. 66

Stanhope, Earl
Public Schools, 2R. 641, 646 ; Select Comm. 1304
Select Committees, Res. 1531

Stanhope, Mr. J. Banks, *Lincolnshire, N.*
Chelsea Bridge Toll Abolition, 2R. 1302
Union Chargeability, 2R. 299

Staniland, Mr. M., *Boston*
Union Chargeability, 2R. 304

Stanley, Right Hon. Lord, *King's Lynn*
Church Establishment (Ireland), Res. 455

Stanley of Alderley, Lord (Postmaster General)
Destruction of Metropolitan Dwellings by Railways, 555
Private Bill Costs, Report, *add. cl.* 483
Standing Order No. 191—Displacement of London Poor, 875

Stanley, Hon. W. O., *Beaumaris*
India—Azeem Jah (Signatures to Petitions), Report, Res. 1613
North Pole, Expedition to the, 53

Stansfeld, Mr. J., *Halifax*
Borough Franchise Extension, 2R. 1666

State Papers, The
Observations, Mr. Henry Seymour ; Reply, Mr. Layard *April* 6, 789

Stonor's, Mr. H. J., Appointment
Question, Lord Robert Montagu ; Answer, The Attorney General *Mar* 31, 563

Stratford de Redcliffe, Viscount
Public Schools, 2R. 659
United States—Assassination of President Lincoln, Address moved, 1226

Strikes and Lock-Outs
Observations, Lord St. Leonards, 1575
(See *Masters and Operatives Bill*)

SUPPLY
ARMY ESTIMATES.
Considered in Committee *Mar* 23
£811,400, Charge of the Superintending Establishment of, and Expenditure for Works, Buildings, and Repairs (*The Marquess of Hartington*), 94
Motion,* That Item £50,000, for the Improvement of Defences at Quebec, be omitted (*Mr. Bentinck*), 104
After long debate ; A. 40, N. 275 ; M. 235 ; Division List, 176
Committee report Progress *Mar* 23
Considered in Committee *Mar* 24
(1.) Original Question [March 23] again proposed
£811,400, Charge of Works, Buildings, and Repairs ; after debate, Vote agreed to, 243
(2.) £163,500, Military Education ; after short debate, agreed to, 256
(3.) £88,345, Surveys, &c., agreed to
(4.) £107,700, Miscellaneous Services ; after short debate, Vote agreed to, 262
(5.) £26,100, Rewards for Military Service ; agreed to
(6.) £74,200, Pay of General Officers ; agreed to
(7.) £455,000, Charge of the Pay of Reduced and Retired Officers, 263
Motion to report Progress (*Mr. Torrens*); Motion withdrawn
Original Question put, and agreed to
(8.) £162,100, Widows' Pensions and Compassionate Allowances, agreed to
(9.) £28,200, Pensions and Allowances to Wounded Officers ; agreed to

[*cont.*

Supply—cont.
£33,200, Charge of Chelsea and Kilmainham Hospitals, 264
Motion to report Progress (*Colonel Dickson*); put, and agreed to
Resolutions reported *Mar* 27; and, after debate, agreed to, 359
Committee report Progress
Considered in Committee *April* 6
Motion to report Progress (*General Peel*), 851
After short debate, Motion withdrawn
(2.) Original Question [March 24] again proposed
£33,200, Chelsea and Kilmainham Hospitals, 853
After short debate, Question agreed to
(3.) £1,168,000, Out Pensioners, Chelsea Hospital, &c.; Vote agreed to
(4.) £131,000, Superannuation Allowances, &c., 858
Motion to report Progress (*Colonel Dunne*); negatived
Original Question agreed to
(5.) £29,000, Non-Effective Services, Disembodied Militia, and Yeomanry Cavalry, 858
After short debate, Vote agreed to
Resolutions reported *April* 7
Considered in Committee *April* 24
(1.) £212,800, Administration of the Army, 959
Long debate thereon; Vote agreed to
Resolution reported *April* 25

NAVY ESTIMATES.

Considered in Committee *April* 3
(1.) £175,957, Admiralty Office; after short debate, Vote agreed to, 726
(2.) £284,395, Coast Guard Service, &c.; after short debate, Vote agreed to, 727
(3.) £70,042, Scientific Departments; after short debate, Vote agreed to, 730
(4.) £192,415, Salaries of the Officers and the Contingent Expenses of Her Majesty's Naval Establishments at Home, 732
Motion, to report Progress (*Sir James Elphinstone*); A. 27, N. 51; M. 24
After short debate, Original Question agreed to
(5.) £37,332, Naval Establishments Abroad; Vote agreed to
(6.) £1,158,797, Wages to Artificers at Home; Motion withdrawn
Resolutions reported *April* 5
Considered in Committee *April* 7
(1.) £1,158,797, Wages to Artificers, &c. at Home, 954
Motion, "That a sum not exceeding £1,148,020, &c." (*Mr. Seely*)
After debate, Question negatived
Original Question agreed to
(2.) £72,585, Wages to Artificers Abroad, 954
Motion to report Progress (*Sir James Elphinstone*); A. 17, N. 42; M. 25
Votes 10 and 11 postponed
(3.) £64,800, Medicines and Medical Stores; Vote agreed to
(4.) £103,925, Naval Miscellaneous Services, 954
After short debate, Vote agreed to
Resolution reported *April* 24
Considered in Committee *April* 24
(2.) £1,134,572, Naval Stores, 995
After short debate, Vote agreed to
(3.) £564,700, Steam Machinery

[*cont.*

Supply—cont.
(4.) £698,195, Half Pay, &c., 996
After short debate, Vote agreed to
(5.) £507,211, Military Pensions and Allowances
(6.) £208,033, Civil Pensions and Allowances
(7.) £320,580, Freight of Ships
Resolutions reported *April* 25; and, after debate, agreed to, 1035

CIVIL SERVICE ESTIMATES.

Considered in Committee *April* 3
£1,748,000, on account of Civil Services for 1865-6 (*Mr. Peel*), 733
After debate, Motion, "That item £3,000, Commissioners for the Suppression of the Slave Trade, be reduced by the sum of £2,000" (*Mr. Torrens*), 739
Motion to report Progress (*Mr. Ayrton*); withdrawn
After short debate, Committee report Progress
Committee also report Progress
Resolutions reported *April* 5
Considered in Committee *April* 6
(1.) Original Question [April 3] again proposed
£1,748,000, on account of Civil Services, 849
After debate, Question agreed to
Resolution reported *April* 7

Surtees, Mr. H. E., *Hertfordshire*
Financial Statement—Ways and Means, Comm. Res. 1150

Sydney, Viscount, (Lord Chamberlain)
United States — Assassination of President Lincoln, Answer to Address, 1451

Sykes, Colonel W. H., *Aberdeen City*
Bankruptcy and Insolvency (Ireland) Act Amendment, Lords Amendts. 786
Canada—Defences of, Papers moved for, 811
China—English Subjects in, 782;—Piracy in, 888;—Proceedings in, 1239
Indian Officers, Address moved, 1342, 1353
Locomotives on Roads, Comm. *cl.* 2, 1064
Supply, Report, 1036
Ways and Means, Comm. Res. Fire Insurance, 1508

Taxation of Ireland
Select Committee, Lord John Browne added *Mar* 21; Mr. Finlay added *Mar* 24

Taxes, Collection of
Question, Mr. Bazley; Answer, The Chancellor of the Exchequer *April* 3, 669

Tea, Financial Statement
Question, Mr. J. B. Smith; Answer, The Chancellor of the Exchequer *May* 1, 1240

Tenure and Improvement of Land (*Ireland*) *Act*
Motion, "That the Select Committee on the Tenure and Improvement of Land (Ireland) Act do consist of Seventeen Members;" debate adjourned *April* 7, 955; Question agreed to *April* 27

[*cont.*

Tenure and Improvement of Land—cont.
Committee nominated as follows:—Mr. Maguire, Mr. Secretary Cardwell, Lord Naas, Sir Robert Peel, Mr. Seymour FitzGerald, Mr. Lowe, Mr. Hunt, Mr. William Edward Forster, Lord Claud Hamilton, Colonel Greville, Sir Edward Grogan, Sir Colman O'Loghlen, The O'Donoghue, Lord Dunkellin, Mr. Caird, Mr. George, and Mr. Bagwell

Tests Abolition Oxford Bill
(*Mr. Goschen, Mr. Grant Duff*)
c. Resolution in Committee; Bill ordered *Mar* 21
Read 1°* *Mar* 21, 48 [Bill 85]

Thames and Isis Navigation
Observations, Mr. Malins; Reply, Mr. Milner Gibson; debate thereon *Mar* 24, 223

Thames at Hampton Court
Question, Mr. Dawson-Damer; Answer, Mr. Milner Gibson *Mar* 23, 79

Thames River
Select Committee on the Thames River appointed *Mar* 31, 629
And, on April 6, Committee nominated as follows:—Mr. Milner Gibson, Mr. Malins, Sir Stafford Northcote, Mr. Bathurst, Sir Frederic Smith, Mr. Gregory, Mr. Hankey, Sir Francis Goldsmid, Mr. Neate, Mr. Baring, Mr. John Reginald Yorke, Mr. Dawson-Damer, and Mr. Henry Fenwick; And, on April 27, Mr. Locke and Colonel Knox added

THOMPSON, Mr. H. S., *Whitby*
Greenock Railway, Re-Comm. 1199
Union Chargeability, 2R. 322

TITE, Mr. W., *Bath*
Science and Art Collections, 1555

TOLLEMACHE, Mr. J., *Cheshire, S.*
Union Chargeability, 2R. 315

Tories, Robbers, and Rapparees (Ireland) Bill (*Mr. Hennessy, The O'Donoghue*)
c. Bill ordered; read 1°* *Mar* 28 [Bill 95]
Motion, "That the Bill be now read 2°" (*The O'Donoghue*); after short debate, agreed to
Read 2° *April* 5, 755
Committee; Report *May* 4, 1521
Considered * *May* 5
Read 3°* *May* 8

TORRENS, Mr. R., *Carrickfergus*
Army Estimates—Pay of Reduced and Retired Officers, Adj. moved, 264
Civil Service Estimates, 734; Amendt. 739, 742
India—Expedition to Bhootan, 939
Scotland—Port Patrick Harbour, 783

TOWNSHEND, Marquess
Casual Poor—Metropolis, 3
Imprisonment on Civil Process, Middlesex, 2

TRACY, Hon. C. R. D. Hanbury, *Montgomery*
Army—Ordnance Select Committee, 371
Navy — Chaplains' Quarterly Report, 488;—Carriage of Treasure, 1316

TRELAWNY, Sir J. S., *Tavistock*
Army—The Foot Guards, 86

Trespass (Scotland) Bill
(*Mr. Finlay, Mr. Dunlop, Mr. Cumming Bruce*)
c. Bill ordered; read 1°* *Mar* 31 [Bill 98]

TROLLOPE, Right Hon. Sir J., *Lincolnshire, S.*
Union Chargeability, 2R. 329

Trusts Administration (Scotland) Bill
(*The Lord Advocate, Sir G. Grey, Sir W. Dunbar*)
c. Bill ordered; read 1°* *Mar* 24 [Bill 92]
Read 2° * *April* 6
Committee *; Report *April* 27

TURNER, Mr. J. A., *Manchester*
Partnership Amendment, 2R. 1284

Turnpike Tolls Abolition Bill
(*Mr. Whalley, Mr. M'Mahon*)
c. Bill ordered after short debate *May* 4, 1524
Read 1°* *May* 8 [Bill 128]

Turnpike Trusts
Question, Mr. Hunt; Answer, Mr. T. G. Baring *May* 4, 1409

Union of Benefices Act Amendment Bill
(*Mr. Edward Pleydell Bouverie, Mr. Goschen*)
c. Bill ordered after debate *April* 25, 1013

Union Chargeability Bill
(*Mr. C. P. Villiers, Sir G. Grey*)
c. Motion, "That the Bill be now read 2°" (*Mr. C. P. Villiers*) *Mar* 27, 277
Amendt. to leave out from "that" and add "considering the little knowledge this House possesses as to the practical working of the Irremovable Poor Act of 1861, it is inexpedient, without further information, to legislate on the subject of Union Rating during the present Session" (*Sir Rainald Knightley*), 294
Question proposed, "That the words, &c."
Motion, "That the debate be now adjourned" (*Mr. Knight*), negatived
Original Question and Amendt. again proposed; Question put, "That the words, &c." A. 203, N. 131; M. 72
Original Question put, and agreed to
Read 2° *Mar* 27 [Bill 31]
Division List, Ayes and Noes, 356

Union Chargeability Bill
Question, Mr. Wilbraham Egerton; Answer, Mr. C. P. Villiers *Mar* 31, 561:—Question, Colonel Wilson Patten; Answer, Mr. C. P. Villiers *April* 3, 670:—Question, Mr. Ferrand; Answer, Mr. C. P. Villiers *April* 28, 1204

Union Officers (Ireland) Superannuation Bill (*Sir R. Peel, Mr. C. P. Villiers*)
c. Committee ; Report *Mar* 24, 266 [Bill 53]
Considered * *Mar* 28
Read 3° * *Mar* 30
l. Read 1ª * (*The Lord Steward*) *Mar* 31 (No. 52)

United States
Assassination of President Lincoln — Notice (*Earl Russell*) *April* 27, 1073
Assassination of President Lincoln—Moved, "That an humble Address be presented to Her Majesty to convey to Her Majesty the expression of the deep Sorrow and Indignation with which this House has learned the Assassination of the President of the United States of America, and to pray Her Majesty that in communicating Her own Sentiments on this deplorable Event to the Government of the United States, Her Majesty will also be graciously pleased to express on the Part of this House their Abhorrence of the Crime and their sympathy with the Government and People of the United States" (*Earl Russell*) *May* 1, 1219 ; after short debate, Motion agreed to, Nemine Dissentiente—Her Majesty's Answer to the Address *May* 4, 1451
Assassination of President Lincoln—Debate on the Address ; Explanation, The Earl of Derby *May* 4, 1451
Assassination of President Lincoln — Notice (*Sir G. Grey*) *April* 27, 1081
Assassination of President Lincoln—Moved, "That an humble Address be presented to Her Majesty to convey to Her Majesty the expression of the deep Sorrow and Indignation with which this House has learned the Assassination of The President of the United States of America, and to pray Her Majesty that in communicating Her own Sentiments on this deplorable Event to the Government of the United States, Her Majesty will also be graciously pleased to express on the part of Her faithful Commons their Abhorrence of the Crime, and their sympathy with the Government and People of the United States" (*Sir G. Grey*) *May* 1, 1242 ; after short debate, Motion agreed to, Nemine Contradicente—Her Majesty's Answer to the Address *May* 4, 1471

Utilization of Sewage and Land Reclamation (Ireland) Bill
c. Motion, "That these Bills be referred to the Select Committee on the Metropolis Sewage and Essex Reclamation Bill" (*Sir C. O'Loghlen*); after short debate, Motion withdrawn *Mar* 21, 6

Valuation of Lands and Heritages (Scotland)
Select Committee, Sir Edward Colebrooke disch., Sir John Ogilvy *Mar* 21, Mr. Adam added *May* 3

Vance, Mr. J., *Dublin City*
Court of Chancery (Ireland), 894
Ireland — Royal Hibernian Military School, Returns moved for, 542

Vandeleur, Colonel C. M., *Clare Co.*
Casey, Alexander, Property of the late, 370
Landlord and Tenant (Ireland), Law of, Comm. moved for, 608

Vane, Earl
Johnson, Colonel, Case of, 1531

Vansittart, Mr. W., *Windsor*
Colonial Governors (Retiring Pensions), 1518
East India (Governor Generals Powers, &c.), Comm. 456
India—Expedition to Bhootan, 938, 944
India Office (Site, &c.), Comm. *cl.* 2, 861, 863
Ways and Means, Comm. Res. Fire Insurance, 1511

Verney, Sir H., *Buckingham*
Army Estimates—Works, Buildings, &c. 245 ; —Administration of the Army, 976
India—Officers serving in, 792
Schleswig-Holstein Duchies, 925
Thames and Isis Navigation, 234

Villiers, Right Hon. C. P. (Chief Commissioner of the Poor Law Board), *Wolverhampton*
Green, Mary, Case of, 1082
Metropolitan Houseless Poor, 2R. 533, 539 ; Comm. *cl.* 1, 758, 766 ; *add. cl.* 759, 763, 764, 765 ; Consid. 860
Parochial Medical Relief, 568
Poor Law Unions — Auditors of Accounts, 1203
Union Chargeability, 2R. 277, 355, 561, 671, 1204
Workhouse Nurses, 1534
Wycombe Poor Law Union, 82

Walcott, Admiral J. E., *Christchurch*
Greenwich Hospital, Leave, 1013
Navy Estimates—Half Pay, 998

Walpole, Right Hon. S. H., *Cambridge University*
Church Establishment (Ireland), 1204
Civil Service Estimates, 852
Court of Chancery (Ireland), Comm. 524
Landlord and Tenant (Ireland), Law of, Comm. moved for, 625
Science and Art Collections, 1551
Supply—Civil Service Estimates, 852
Tests Abolition (Oxford), Leave, 49
Thames and Isis Navigation, 231

Walter, Mr. J., *Berkshire*
Union Chargeability, 2R. 338

Warner, Mr. E., *Norwich*
Abyssinia—British Prisoners in, 957
Locomotives on Roads, Comm. *cl.* 2, 1064
Union Chargeability, 2R. 335

Waterworks Bill (*Mr. M. Gibson, Mr. Baring*)
c. Bill ordered *April* 7, 956
Read 1° * *April* 24 [Bill 112]
Read 2° * *May* 1
Referred to Select Committee * *May* 1

Waterworks Reservoirs
Question, Mr. Ferrand; Answer, Sir George Grey *Mar* 21, 7

WATKIN, Mr. E. W., *Stockport*
Army Estimates—Works, Buildings, &c. 129;—Military Education, 262;—Chelsea and Kilmainham Hospitals, 264
Rupert's Land, 1601

WAYS AND MEANS
Considered in Committee; *The Financial Statement of The Chancellor of the Exchequer April* 27, 1084
Motion, "That towards raising the Supply granted to Her Majesty in lieu of the Duties of Customs now charged on Tea, the following Duties of Customs shall, on and after the 6th day of May 1865 until the 1st day of August 1866, be charged thereon on importation into Great Britain and Ireland: viz.—
£ s. d.
Tea - - - the lb. 0 0 6"
Considered in Committee *May* 4
Question again proposed
Amendt. proposed, to leave out "6th day of May," and insert "1st day of June" (*Mr. Moffatt*), 1471
Question proposed, "That the words '6th day of May,' &c.;" after debate, Amendt. withdrawn
Another Amendt. proposed to leave out "on and after the 6th day of May, 1865" (*Mr. Moffatt*); Question, "That the words, &c.," put, and negatived
Another Amendt. proposed, To add, "Provided, That, on special grounds, the said reduction shall not take effect until the 1st day of June, 1865" (*Mr. Moffatt*); Question, "That those words be added, &c.," put, and agreed to
Original Question, as amended, put, and agreed to
Income and Property Tax—Resolution, 1502
Fire Insurance Duty—Resolution, 1503
Amendt. to leave out "25th day of June," and insert "15th day of May" (*Sir J. Fergusson*)
After debate, Question, "That the words, &c.," put, and agreed to
Original Question put, and agreed to
Resolutions reported *May* 5
Considered in Committee; £1,000,000 Exchequer Bonds *May* 5, 1570
Resolutions reported, and agreed to; Bill ordered *May* 8

Wellington's, Duke of, Monument at St. Paul's
Question, Sir M. Farquhar; Answer, Mr. Cowper *Mar* 23, 80

WESTBURY, Lord—*see* CHANCELLOR, The Lord

WESTERN, Mr. T. SUTTON-, *Maldon*
New Zealand—War in, 893

WESTMEATH, Marquess of
Ireland—(Catharine Gaughran), Papers moved for, 268
Juries (Ireland), 1R. 629; 2R. 1595, 1597

Westminster Palace Crypt
Question, Mr. Newdegate; Answer, Mr. Cowper, *May* 4, 1468

WHALLEY, Mr. G. H., *Peterborough*
Army—Libraries, &c., Papers moved for, 47
Chelsea Bridge Toll Abolition, 2R. 1303
Financial Statement—Ways and Means, Comm. Res. 1144
Ireland—Royal Hibernian Military School, Returns moved for, Adj. moved, 542
Police Superannuation, Comm. *add. cl.* 1073
Roman Catholic Oath, Leave, 34
Tories, Robbers, and Rapparees (Ireland), Comm. 1523
Turnpike Tolls Abolition, Leave, 1524

WHITBREAD, Mr. S., *Bedford*
Navy—Board of Admiralty, 687

WHITE, Mr. J., *Brighton*
Civil Service Estimates, 737
Financial Statement—Ways and Means, Comm. Res. 1128
Mutiny, Comm, *cl.* 26, 368
State Papers, 791

WHITESIDE, Rt. Hon. J., *Dublin University*
Church Establishment (Ireland), Res. 435
Court of Chancery (Ireland), Comm. Amendt. 509, 512
Ireland—Royal Hibernian Military School, Returns moved for, 542;—Railway System, 673; Address moved, 905;—The Fenian Brotherhood, 890
Landlord and Tenant (Ireland), Law of, Comm. moved for, 624

Wimbledon Common Bill
c. Motion, "That the Bill be now read 2°" (*Viscount Bury*), 769
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Cox*), 776
Question, "That 'now,' &c.," put, and agreed to
Read 2° *April* 6

WOOD, Right Hon. Sir C. (Secretary of State for India), *Halifax*
Bank Notes Issue, Comm. 1262
Civil Service Estimates, 738
County Voters Registration (Ireland), 2R. 266
East India (Governor Generals Powers, &c.), Comm. 456
India—Labour Ordinance, 239, 240;—Lucknow Prize Money, 371, 1602;—The Bhootan Expedition, 781, 941, 944;—Pegu Prize Money, 784; Explanation, 959;—Officers serving in, 792;—The Budget, 891, 892;—The Sixty-fourth Foot, 1240;—Export Duties, 1600;—The Loan, 1601
India Office (Site, &c.), Comm. *cl.* 2, 862, 863
Indian Officers, Address moved, 1327, 1329

Workhouse Nurses
Question, Mr. A. Mills; Answer, Mr. C. P. Villiers *May* 5, 1533

Works, Office of
Motion, "That a Select Committee be appointed to inquire into the Office of Works, and the Office of Woods, Forests, and Land Revenues" (*Mr. Augustus Smith*); after debate, Question put, and negatived *Mar* 21, 8

Wrottesley, Lord
Public Schools, Nomination of Comm. 1460

Wycombe Poor Law Union
Question, Mr. Ferrand; Answer, Mr. C. P. Villiers *Mar* 23, 82

Wyld, Mr. J., *Bodmin*
Exeter, Diocese of, 931
Fire Insurance Duty, 1467
Mutiny, Comm. *cl.* 26, 368

Writs Registration (Scotland) Bill
(*The Lord Advocate, Sir G. Grey, Sir W. Dunbar*)
c. Motion, "That the Bill be now read 2°" *April* 27, 1156
Amendt. to leave out "now," and add "upon this day six months" (*Mr. E. Craufurd*)
Question, "That 'now,' &c.;" after long debate, Debate adjourned
Debate resumed *May* 5, 1571
After short debate, Amendt. withdrawn
Read 2° *May* 5 [Bill 41]

Yorke, Mr. J. R., *Tewkesbury*
Army—Drill Instructors to Volunteers, 671
Parliamentary Papers, Digest of, Comm. moved for, 218

Zollverein, The
Question, Mr. W. E. Forster; Answer, Mr. Layard *May* 5, 1535

ERRATA.

Page 367, line 4 from bottom, *for* Noes 2 *read* Noes 42.
717, after line 16, *insert* Civil Service Estimates.
1239, line 15 from bottom, *for* Mr. Thomas Baring *read* Mr. T. G. Baring.

END OF VOLUME CLXXVIII., AND SECOND VOLUME OF THE SESSION 1865.

LONDON: PRINTED BY CORNELIUS BUCK, 23, PATERNOSTER ROW.

15 MAR 1971